

*Proposed*

**Table 2- Summary of Preferred Projects and Estimated Funding Allocations for the Command Oil Spill.** ~ *included in Draft Restoration Plan.*

Project No.	Restoration Category and Project	Estimated Cost
	<b>Seabirds</b>	
1	Marbled Murrelet Restoration and Corvid Management Project	\$800,000
2	Marbled Murrelet Land Acquisition and Enhancement Project	\$400,000
3	Seabird Colony Protection Project	\$1,216,802
4	Common Murre Nesting Ledge Creation	\$33,869
5	Brown Pelican Roost Site Enhancement and Creation Projects	\$30,800
6	Seabird Entanglement Reduction and Education Program	\$22,000
7	Sooty Shearwater Restoration Project	\$365,400
	<b>Lost Human Use</b>	
8	Seal Cove Beach Access Improvement Project	\$125,000
9	Half Moon Bay State Park Beach Access Improvement Project	\$20,000
10	Mirada Surf Recreational Improvements	\$50,000

#### 4.7 Non-Preferred Projects

The following is a list of projects that the Command Trustee Council considered for funding but has decided not to fund for reasons explained below. These projects were suggested to the Council from members of the public, non-profit organizations, and government agencies during the public scoping process. All of these projects were evaluated using the project selection criteria described above. Furthermore, they were compared with the preferred projects. Should some of the preferred projects above become infeasible, or should extra funds remain, it is possible that the Council will revisit these projects at a later date.

##### *Seabird Nesting Habitat Restoration and Enhancement on the Farallon Islands*

This project would restore critical seabird nesting habitat on the Farallon Islands for burrow/crevice nesting seabirds such as the Ashy Storm-Petrel, Storm-petrels and the Cassin's Auklet, by eradicating the introduced house mouse. The Trustees have rated this project as non-preferred due to financial constraints and a low nexus to the injured resources.

##### *Año Nuevo Island Seabird Habitat Restoration*

This restoration project would revegetate the central marine terrace, the main habitat for burrowing seabirds, with a diversity of native shrub and grass assemblages. The Trustees have rated this project as non-preferred due to financial constraints and a low nexus to the injured resources.

##### *Appanolio Canyon Steelhead Passage Project*

This project would remove a fish barrier and allow passage for steelhead to increase their spawning habitat. As steelheads were not directly impacted by the Spill, the nexus to resources injured by the Spill is low.

##### *Pescadero Marsh Restoration Plan*

Funding was sought to contribute (with matching funds) towards the development of a Pescadero Marsh Restoration Plan. This proposal was less preferred for two reasons: 1) the marsh was not directly impacted by the Spill, and thus the nexus is low; 2) the project would merely be the development of a plan (much like this one) but with no direct funding for on-the-ground work.

##### *San Vicente Creek Restoration*

This project would focus on storm drain run-off and stream restoration in San Vicente Creek, in order to improve water quality. This would provide benefits not just to the creek, but to the Fitzgerald Marine Reserve at the creek's outfall. This project would provide some direct benefits to the coastal habitat, which was lightly impacted by the Spill, and indirect benefits to seabirds and human recreational beach use. Nevertheless, relative to the other preferred projects, the nexus to the Spill is low and the benefits to impacted resources are relatively small. For this reason, it was not preferred.

##### *Moss Landing Project Monitoring*

This project would augment on-going restoration efforts for Brown Pelican roosting habitat and Snowy Plover nesting habitat near Moss Landing. Specifically, funds were sought to augment the monitoring component of this project, as the project implementation funding needs have

already been satisfied. This project was considered and compared to the other projects benefiting Brown Pelicans. Because this project would focus on monitoring only, while the other projects addressed immediate needs at other places along the coast, this project was less preferred compared to them.

#### *Gulf of the Farallon Islands Research*

This project would focus research on the oceanic areas around the Farallon Islands, exploring the possibility of increased preservation and protection of the marine habitat through the creation of a Farallon Archipelago National Marine Park and Preserve. While the implementation of such protection may yield substantial benefits to natural resources, it is difficult and speculative to quantify the direct benefits of this research. Additionally, the criteria imply a strong preference for on-the-ground projects over research. For this reason, this project was not preferred.

#### *Seabird Protection in Chile*

This project would focus on protecting Pink-footed Shearwater (*Puffinus creatopus*) nesting areas in Chile. While this species was present in small numbers during the Spill, none were collected. Furthermore, the option of contributing to the restoration of Sooty Shearwaters in New Zealand offered greater assurance of success and a higher degree of nexus to the Spill. Thus, the Sooty Shearwater project was preferred over this one.

#### *Education and Planning for Seabird Protection on Natividad Island, Mexico*

This multi-pronged project would seek to educate local islanders regarding the effects of introduced predators (e.g., cats, rats, others) on seabirds, to develop a map of the island to assist in enforcement of regulations, to develop and implement a quarantine plan to keep the island free of introduced predators. This project would benefit Black-vented Shearwaters (of which 95% of the world's population nests on this island), as well as Brown Pelicans, Double-crested and Brandt's Cormorants, and Western Gulls. Because goats, sheep, and feral cats have been removed from the island in recent years, and educational outreach with island residents has recently been conducted, this project aims to continue and augment these previous efforts. Because this project provides only marginal on-the-ground restoration benefits. Thus, the Sooty Shearwater Project was preferred over this one. and the beneficiary species were only lightly impacted by the Spill, this project was considered to have relatively low benefits and a low nexus.

#### *Leash Law Enforcement at Pillar Point*

This project would provide for additional enforcement of leash laws at Pillar Point in order to reduce disturbance of shorebirds. Additionally, it may also provide added benefits for some recreational beach users. Because the disturbance of shorebirds at this location is not likely to impact large numbers of shorebirds, nor any nesting shorebirds, the benefits of this project to shorebirds were thought to be rather small. Additionally, shorebirds were only minimally impacted by the Spill, and thus the nexus to the Spill is low. For these reasons, this project was given lower priority when compared to other projects benefiting impacted bird species.

#### *Education Projects*

There were several proposals to focus on the education of youth regarding seabird conservation and marine ecology. These included a project to develop curriculum for high school students, the development of a seabird education website, and a proposal to allocate \$1 million for an educational trust fund. As stand-alone projects, these ideas were compared to other seabird projects and were less preferred because they did not provide tangible benefits in the immediate future. However, these projects, specifically the concrete proposals to develop curriculum, would complement the Seabird Colony Protection Program, which focuses education on user-groups most likely to cause disturbance to seabird colonies. Thus, the curriculum development project may be considered as a component of the Seabird Colony Protection Program if funds are available after the implementation of its primary objectives.

#### *Donations to Existing Programs to Benefit Water Quality*

There were several proposals to donate \$1 million to \$2 million to existing programs such as the Monterey Bay National Marine Sanctuary water quality program, the Agriculture Clean Water Foundation, and the San Mateo County Resource Conservation District. The aim was to allocate funds to improve water quality at various sites. Because this Trustee Council is obligated to use the above criteria to address specific injuries to specific resources from the Command Spill, and because these programs apply a different set of criteria to achieve a different set of objectives, the Trustees cannot make such a donation. However, the Trustees could contribute to specific projects carried out by these programs if they were consistent with the Trustees' goals and criteria.

#### *California Coastal Monument Recreation Planning*

This project would develop outreach materials and information to increase recreational use of the Bureau of Land Management's rocks off the coast of San Mateo. A comprehensive investigation and planning effort would be undertaken along the San Mateo coast to identify access points for viewing and kayaking along the National Monument rocks, performing an assessment, and identifying partners to increase local tourism tied into rock viewing and use. This project could enhance the quality and amount of public use in areas affected by the Spill. However, this project was less preferred because it does not provide tangible benefits in the immediate future.

**TV COMMAND OIL SPILL**  
**Public Scoping Meeting for Restoration Planning**  
**May 21, 2002, 6 - 9 pm**

**Sign In Sheet**

<u>Name</u>	<u>Affiliation</u>	<u>Address</u>	<u>Email</u>	<u>Add to Mailing List ?</u>
Gary Page	PRBO	4710 Shoreline Hwy Sausal Beach 94970	gpage@prbo.org	L
Julia Bott	SANMATEO CO PARKS & REC. Foundation	215 Bay Rd Menlo Park CA 94025	Julia@ supportparks.org	Yes
Julie Inayen	PRBO ? UC Davis	4990 Shoreline Hwy Sausal Beach 94970	jthayer@prbo.org	Yes
Hannah Norris	Moss Landing Marine Labs	8272 Moss Landing Rd, MSCA 95039	hnenins@mlml. calstate.edu	Y
Joel Adams	Moss Landing Marine Labs	//	Cecorhinc@ hotmail.com	No
Charlotte Robertson	consultant	2622 Piedmont Avenue Berkeley, CA 94704	<del>CRobertson41@</del> yaher.com	yes
Michelle Hester	Oikonomos	PO 792 Bolinas CA 94924	michelle@oikonomos. org	yes
Sue Abbott	PRBO	4990 Shoreline Hwy. CA 94970	sabbott@prbo.org	Y

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**Sign In Sheet**

<u>Name</u>	<u>Affiliation</u>	<u>Address</u>	<u>Email</u>	<u>Add to Mailing List?</u> <u>yes</u>
STEVEN McCALL	OSG SHIP MGMT.	511 FIFTH AVENUE NEW YORK, NY 10017	SMCCALL@OSGSHIP.COM	yes
Bob Braem	San Mateo Co. Parks	PO Box 451 Moss Beach CA 94038		yes
Nike Edvoff	San Mateo Co PCD	625 Miramonte St #206 Half Moon Bay CA	execsmc@earthlink.net	yes
NATE JONES	USFWS COMMON MURRE PROJECT	379 CORONADO EL GRANADA		No Thanks
April Robinson	US FWS Common Murre Project	379 Coronado El Granada		no
BERN SMITH	LANDSMITHS	Box 1583 EL GRANADA 94018	landsmiths@aol.com	—

**Command Oil Spill  
Summary of Public Scoping Comments  
received in writing and oral comments received at  
Public Scoping Meeting (May 21, 2002)**

Updated August 2, 2002

**1. Moss landing Management Area Improvements**

Oral and written Comments submitted by Gary Page, PRBO

Benefits: pelicans, snowy plovers, shorebirds, waterfowl, recreation

*Oral comments:* The PRBO supports enhancement of brown pelican roosting at the Moss Landing Wildlife Management Area. The project would also benefit snowy plovers by improving nesting habitat. The Moss Landing Management Ponds need work. There is too much vegetation, so it is hard to maintain water levels. Also Elkhorn Slough is losing sediments. So need to control vegetation and manage water levels. Total cost \$750K. \$700+ is already funded. Need more money for monitoring breeding pelicans and for permitting. This project also has some recreational use benefits.

*Written comments:* (letter dated June 3, 2002). Ducks Unlimited, DFG, and PRBO have developed a proposal to restore the poorly functioning Moss Landing Management ponds by expanding the holding channel and by replacing the worn out water control structures. The main levee will also be reinforced to maintain integrity of the management ponds. If restored, the functioning ponds should support brown pelican roosting, snowy plover nesting, and support nesting avocets and stilts and many species of migrating and wintering shorebirds and waterfowl. Although most of the project has already been funded, the trustees could enhance the project by adding the monitoring component.

**2. Education and Habitat Acquisition Restoration for Under Represented Species**

Oral and written comments submitted by Hannah Nevins and Josh Adams, Moss Landing Marine Labs

Benefits: marbled murrelets, sooty shearwaters, storm-petrels, common murres

*Oral comments:* Educational components: develop curriculum for high school students within the zone. Take research to the classroom.

*Written comments:* (e-mail dated June 5, 2002). We support restoration projects and believe education is an integral part of successful restoration. We recommend that restoration actions account for other under-represented species, such as storm-petrel, auklets, rhino auklets, and pigeon guillemots. Extend the geographical area beyond San Mateo County, but the spill affects species at a larger geographic scale. Why were no mortality estimates determined for the sooty shearwater and other species that were clearly impacted by the spill? Restoration projects could be implemented in Mexico for the shearwater and other species. We support habitat acquisition for marbled murrelets in the remaining old growth stands in California. We also support a significant portion of the money be allocated to research and education for common murres.

**Command Oil Spill**  
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**received in writing and oral comments received at**  
**Public Scoping Meeting (May 21, 2002)**

and informing the news media.

*Written comments:* (letter dated May 21, 2002). PRBO supports the Command Spill Restoration Plan's goal to reduce human disturbance to seabirds, and we propose to partner to reach this goal using our expertise in seabird conservation science and outreach.

**6. Multiple Projects**

Oral and written comments submitted by Mike Ednoff, San Mateo Conservation District

Project Names:

Marine and Coastal Resource Education Trust  
San Vicente Creek Storm Drain Replacement, Fitzgerald Marine Reserve  
Pescadero Marsh Restoration  
Appanolio Canyon Steel head Passage Project  
Marine and Watershed Resource Planning

*Oral comments:* There are a number of restoration projects that impact sanctuaries/sea. We should increase the scope of projects to include water quality, e.g. look at water quality and foraging in Pescadero Marsh. Use community advisory groups that may have projects in mind.

*Written comments:* (letter dated June 03, 2002).

**A. General comments**

I would encourage the trustees to attend regularly scheduled meetings of public advisory groups and ask to be placed on their agendas. At a minimum, I suggest the Pescadero Municipal Advisory Group, the Midcoast Mun. Adv. Group, the Coastside Water District, the Pilarcitos Creek Adv. Council, and the Agricultural Adv. Council. In the scoping document, you need to look at injuries to the resource as a whole (upland habitat, anadromous fish, marine phytoplankton, water quality, food webs), rather than simply focusing on specific injuries. The Trustees should refine the "resource" as the western half of San Mateo County encompassing 150,000 acres and a dozen watersheds draining into the Monterey Bay National Marine Sanctuary. I recommend spending settlement funds entirely and exclusively in San Mateo County. I also suggest adding two local residents who are more familiar with the coastside to your committee on project selection.

**B. Comments on specific projects**

Command funds should be spent on bird habitat improvements rather than disturbance reduction, because disturbance reduction is difficult to enforce and costly to maintain. The brown pelican project is interesting, but should be excluded because it is not in San Mateo County. Marbled murrelet habitat acquisition is a good idea, but only sites in San Mateo County should be chosen for purchase or lease. I am in favor of projects at the Fitzgerald Marine Reserve, but less in favor of all potential projects at state and county parks, because these tend to be costly.

tential projects for your consideration:

Marine & Coastal Resource Education Trust: Set aside perhaps 1 million dollars for an educational trust.

D. Eliminating environmental impacts to Fitzgerald Marine Reserve: San Vicente Creek storm drain



**Command Oil Spill  
Summary of Public Scoping Comments  
received in writing and oral comments received at  
Public Scoping Meeting (May 21, 2002)**

**9. Pescadero Marsh and Fitzgerald's Habitat Improvements**

Written Comments submitted by Wendy Poinso

Benefits: Human Use, fish passage, birds

*Written comments:* (email dated: 5/30/2002), I support Pescadero Marsh improvements. Improve access to Fitzgerald Reserve by providing a riparian connection to the ocean that would enhance views and recreation. Also fix the culvert to improve fish passage.

**10. California Islands Predator Removal**

Written comments submitted by Bernie Tershy, Island Conservation Center

Benefits: Seabirds

*Written comments:* (email dated: June 5, 2002). Islands in need of predator removal: see [http://macarthur.ucsc.edu/dbase/ISLA2.EXOTMAM\\_START\\_BYISLAND\\_p\\_SF.show](http://macarthur.ucsc.edu/dbase/ISLA2.EXOTMAM_START_BYISLAND_p_SF.show)

**\*1. RCD and Sanctuary Support Funding and San Jicente Restoration**

Written comments submitted by: Ron Sturgcon, Private Land Owner

Benefits: Human Disturbance Reduction, water quality, habitat improvements

*Written comments:* (letter dated June 4, 2002). I urge you to donate one million dollars directly to the Monterey Bay National Marine Sanctuary to implement under-funded aspects of its "Water Quality Protection Program Action Plans," and one million dollars to the Agricultural Clean Water Initiative Foundation for its use in San Mateo county. The remaining portion, I urge be allocated to the San Mateo County Resource Conservation District which ought to be the Sanctuary's most active resource enhancement/conservation partner on the San Mateo County Coast.

San Vicente creek is polluted and recreational use should be limited not enhanced. The RCD is the logical conservation entity to tackle this. A whole lot of money buys only a few redwood trees, but investment in an RCD endowment fund would buy a whole lot of enhancement/conservation of the Sanctuary's resources. I also urge that the money's be allocated for restoration rather than recreation.

**12. Pillar Point Leash Law Enforcement**

Oral Comments submitted by Bern Smith, Landsmiths

Benefits: ?

*il comments:* Off leash dogs are a chronic disturbance to shorebirds at Pillar Point. Pillar point has the characteristics of a marine reserve, but it is not protected and the off-leash law is not enforced.

Provided at  
Scoping Meeting

21 May 2002

Comment in response to the Command Oil Spill Public Scoping Document for Restoration Planning.

### Introduction

My name is Sue Abbott and I am a representative of PRBO's Education and Outreach Program.

PRBO is a non-profit organization dedicated to conserving birds, other wildlife, and their ecosystems through objective, innovative scientific research and public outreach.

We work throughout the West to heighten public awareness and reduce human disturbance to birds and their diverse habitats - from our coastal beaches to our agricultural lands to our deserts.

We support the Command Spill Restoration Plan's goal to reduce human disturbance to seabirds, and propose to partner to reach this goal using our expertise in seabird conservation science and outreach.

### PRBO Human Disturbance Reduction & Seabird Awareness Project

These are the main areas that we would like to focus on.

Project Goals:

- 1) Reduce human disturbance to seabirds, with focused efforts on nesting and roosting habitats.
- 2) Target specific user groups (e.g., boaters, kayakers, divers, commercial/sport fishers, pilots) for an education campaign to reduce human disturbance.
- 3) Educate the public on seabirds and ocean ecosystems of Central California, and increase public interest in seabird conservation.
- 4) Heighten public awareness of the importance of island and islet habitat for seabirds, using Año Nuevo Island as an example.

Submitted by:

Sue Abbott, Biologist & Education Specialist

PRBO Conservation Science  
4990 Shoreline Hwy.  
Stinson Beach, CA 94970  
(415) 868-1221, ext.302  
sabbott@prbo.org



Wendy Poinso  
<poinso@earthlink.net>  
et>  
Sent by:  
poinso@earthlink.net

To: Charlene\_Hall@fws.gov  
cc:  
Subject: scoping input for Command Oil Spill monies

05/30/2002 05:26  
PM  
Please respond to  
poinso

I would like the assessment to consider improvements to Pescadero Marsh to improve both seabird, shorebird, waterbird habitat AND recreation opportunities. The Marsh appears to have become heavily silted in recent years and opportunities for recreation, including birding, have diminished. Could the assessment consider whether the silting was influenced by development activities upstream and, if so, whether funding could restore wetland functions to the Marsh.

The access to the Fitzgerald Marine Reserve was in horrible shape last time I visited. Is there a way to provide a riparian connection to the ocean that would enhance the viewshed, interpretive opportunities, recreational activities. The Last time I visited, a huge washout of the creek has occurred, a disconnected culvert hung in the air and the creek appeared impassible for fish. If this is still the status quo, this would be a great recreational improvement for the San Mateo coast.

Thank you,  
Wendy Poinso  
143 Staples Avenue  
San Francisco, CA 94112



Gary Page  
<gpage@prbo.org>  
06/03/2002 12:36  
PM

To: Charlene\_Hall@fws.gov  
cc:  
Subject: support letter for pelican roost at Moss Landing WA

Dear Charlene,

Attached please find my letter to the Trustees for the Command Oil Spill Settlement in support of a project to improve pelican roosting opportunities at Moss Landing Wildlife Area.

Sincerely,

Gary Page



Command Oil Spill.

June 3, 2002

Trustees For Natural Resources Injured by the Command Oil Spill

Dear Trustees,

I am writing in support of the Brown Pelican roost enhancement and protection project at the Moss Landing Wildlife Area.

Moss Landing Wildlife Area consists of about 150 acres of retired salt ponds near the entrance of Elkhorn Slough, Monterey County. The ponds were purchased by the California Department of Fish and Game (DFG) in 1984 and converted to managed ponds for wildlife between 1989 and 1991. DFG's restoration goals were to provide nesting habitat for Snowy Plovers and roosting habitat for Brown Pelicans. An island was constructed in one of the ponds for the pelicans. It was intended that water would be moved through a water control structure from Elkhorn Slough into a holding channel. From the holding channel water would be moved through a series of ponds including the one containing the island.

The managed ponds have never functioned as intended because it has not been possible to move water into the ponds as originally planned. Water can only be put into the holding channel on the highest tides and it has not been possible to get water into some of the outer ponds at all. Also, it has not been possible to surround the island with water in late summer and fall when pelicans would be expected to roost there.

Since 1995 PRBO biologists have been managing the ponds for nesting Snowy Plovers. By trapping water in the holding channel during the highest tides and then metering the water into burrow ditches (excavated in ponds to create the levees) it has been possible to enable plovers to nest in the dry pond bottoms then move their chicks to the water-filled burrow ditches to feed. Plovers have bred at the Moss Landing Wildlife Area very successfully since 1995. About half the Snowy Plover fledgling production from all of Monterey Bay has come from the salt ponds during this period.

Although Brown Pelicans never used the island, we have learned that when ponds were very shallowly flooded they attracted large numbers of roosting pelicans at dusk. Our high count was 3,000 pelicans. Thus by providing shallowly flooded habitat in some ponds it is possible to establish a large pelican roost in the wildlife area.

It has never been possible to manage the ponds as originally planned. Additionally the original water control structures have corroded and leak badly. Vegetation is evading the outermost ponds making them unusable by Snowy Plovers and other shorebirds. The bank of the slough near the main levee is now eroding badly. If this bank is not fortified it will continue to erode until it undercuts the main pond levee causing the area to become tidal.

Ducks Unlimited, DFG and PRBO have developed a proposal to restore the ponds so that they can be managed as intended to support nesting Snowy Plovers and roosting Brown Pelicans. If restored they should also support nesting avocets and stilts and many species of migrating and wintering shorebirds and waterfowl.

The restoration plan proposes to expand the holding channel and replace worn out water control structures. New water control structures are to be added so that water levels in each pond can be managed independently. The main levee will be reinforced to maintain the integrity of the managed pond system. It is estimated that about \$750,000 will be needed to make the structural changes. Additional funds will be required for appropriate permits and monitoring.

At its most recent meeting the Wildlife Conservation Board voted \$650,000 for the project. The National Fish and Wildlife Foundation is considering putting \$100,000 into the project. Therefore, a substantial part of the money needed for this project has already been committed. The Trustees could enhance the project by funding the monitoring component.

The project addresses major goals of the trustees. It provides roosting habitat for thousands of Brown Pelicans. By providing high quality nesting habitat for the Snowy Plover it increases opportunities for the public to use Monterey Beaches because it reduces the dependency of the plovers on the beaches. Beside the plovers and pelicans, the ponds should benefit nesting avocets and stilts, and provide winter habitat for other shorebirds and waterfowl. Even under current circumstances we have shown the ponds can be a valuable plover nesting area and an important pelican roost. Restoration of the ponds should insure that these benefits persist for a long time. Appropriate permits will be obtained to make certain the project complies with applicable laws. I am unaware of any public health and safety issues associated with the proposed project.

Sincerely,

Gary Page

Wetland Program Director  
PRBO Conservation Sciences

SAN  
MATEO  
COUNTY

RESOURCE  
CONSERVATION  
DISTRICT

625 Miramontes St., Ste. 206  
Half Moon Bay, CA 94019  
Phone(650) 712-7765 \* Fax 726-0494

June 3, 2002

Field Supervisor  
Fish and Wildlife Service  
Sacramento Fish and Wildlife Office  
2800 Cottage Way, Rm. 2605  
Sacramento, CA 95825  
VIA FACSIMILE 916-414-6713 and U.S.P.S.

RECEIVED

752

SACRAMENTO  
FISH & WILDLIFE OFFICE

RE: Comments Scoping Process, Command Oil Spill, May 1, 2002, Document

Dear Natural Resource Trustees,

Thank you for the opportunity to provide comments on the Scoping Document for Restoration Planning as well as suggest some topics and projects for funding consideration. I have divided my response into some general comments, some specific comments and concluded with some brief ideas for use of the funds and full proposal consideration.

#### General Comments

1. As I suggested at the public scoping meeting in Half Moon Bay, the Trustees should actively seek advice from local groups and organizations along the Coastside in San Mateo County. I would encourage Trustees to even attend regularly scheduled meetings of these groups and ask to be placed on their agendas. At a minimum, I suggest the Pescadero Municipal Advisory Council, the Midcoast Municipal Advisory Council, the Coastside Water District, the Pilarcitos Creek Advisory Council and the Agricultural Advisory Council, among others. I find that these groups give careful attention and thought to issues with the best interests of the Coastside and its residents in mind.
2. In the scoping process, injuries identified were largely limited to seabirds, intertidal areas, beaches and humans losing recreation time at the beach. I believe this to be a very limited viewpoint, ignoring the potential impacts the spill may have had on the resource as a whole. The resource addressed by the scoping document is in reality much larger and very interconnected. The Trustees should re-define the "resource" as the western half of San Mateo County encompassing about 150,000 acres and a dozen watersheds draining into the Monterey Bay National Marine Sanctuary. A whole ecosystem ("resource") is the sum of its parts and there are many parts the scoping document may have overlooked from single celled marine phytoplankton to anadromous migratory fish to upland activities that can interact with the marine environment impacting habitat, water quality and food supply. Use of the word "nexus" might be argued to include a more holistic approach since we know that this ecosystem is highly interconnected. Therefore, the scope should be broadened to include any resource component or components of the entire ecosystem impacting the Sanctuary off San Mateo County.

3. The Command Oil Spill occurred off the coast of San Mateo County and not anywhere else. Therefore, I recommend that the settlement funds be spent entirely and exclusively in San Mateo County by targeting projects in the Coastsides community of San Mateo County. Keeping and spending the settlement monies in San Mateo County is important to both our environment and economy. San Mateo County is largely an urban county with a population exceeding 717,000, yet the Coastsides remains largely rural contributing significantly to the rich quality of life enjoyed by all residents in the county. Maintaining the rural character of the Coastsides has come with a cost, that has resulted in an economic shift towards recreation and tourism. Spending the Command settlement funds locally on resource and environmental improvement and recovery would assist the local economy in its search for a new identity. Again, think globally, but spend locally.
4. The project selection criteria should be broadened significantly to include the expanded "resource" area included in comments under item #2. above. The criteria for No Duplicate or Replacement Funding is somewhat hypocritical since existing funding sources are available for all projects proposed to date in the May 1, 2002, document. For example, I am all for improved access to the beach and at state parks, however, how did these parks come into being if there was no funding source? Trustees need to be cautious so as not to appear in having predetermined outcomes only addressing seabirds and parks. I propose two solutions. The first is that at least two local Coastsides residents be added to the Trustees process for choosing projects to fund. Coastsides residents know the coast and its needs better than any agency since they live and mostly work in the target area. The second recommendation is for the Trustees to place a high priority on funding projects that have already been identified in the Coastsides for having a high resource enhancement value or contribution. Furthermore, those same identified projects that also have partial funding or a significant identified match, should receive an even higher priority for Command Fund contributions. The San Mateo County Resource Conservation District (SMC RCD) has a number of publications and documents that address such projects available in our Half Moon Bay office. Overall, the scoping process should be about improving the entire resource as identified under item #2 above.

#### Specific Comments on Proposed Projects to Date

1. Disturbance reduction is a difficult process as there will always be somebody or something impacted. It can also have a potential perpetual high cost in maintenance and enforcement. Continued funds to operate such a program after Command dollars are expended would need to be identified if this option were chosen as a viable project. It would seem that a better focus would be on bird habitat improvements, especially in coastal areas that presently have the least amount of human use and would thereby satisfy the long term non-disturbance requirement. Any area, if selected, should be in San Mateo County and should include an educational outreach program to inform people why they should be staying out of the designated bird area. Habitat improvement should be the main focus. Good habitat produces a good food supply that in turn attracts the birds. The birds, along with the bees, will do the rest.
2. The Brown Pelican project is interesting, but it is not in San Mateo County and therefore, should not be further considered nor funded.



3. Marbled Murrelet Habitat acquisition is a good idea, however, only a site or sites in San Mateo County should be chosen for purchase or lease. There must be a reason that the Murrelets were in San Mateo County when the spill occurred. We need to find that place and those reasons and use them in establishing a potential protected Murrelet habitat. Long term support for the habitat would need to be addressed after Command dollars are expended. If the site is privately owned, then perhaps a Marbled Murrelet easement or other such incentive could be obtained from the landowner thereby allowing the property to remain on the tax rolls and continue to contribute to the local economy. This proposed project is a good example of why the No Duplicate or Replacement Funding criteria would need to be revoked or modified.
4. I am highly in favor of projects at the Fitzgerald Marine Reserve, but somewhat less in favor of all the potential projects at state and county parks. The parks certainly need the money, however, park projects could eat up the entire settlement budget at the expense of other projects that may do more for the resource over the long term. The key criteria here should include how the project enhances the resource, compliments an existing identified need, or helps educate the public over the long term, as opposed to allows me better access to the beach. I have included a concept for projects at Fitzgerald Marine Reserve in the recommendations below.

Ideas for Projects for the Command Oil Spill Funds. Full proposals are available on request.

The Marine and Coastal Resource Education Trust. A portion of the Command Oil Spill fund, perhaps a million dollars or more, could be set aside to establish a permanent educational endowment. Income earned from endowment investments could be used to fund marine and coastal resource education programs annually, and community education in general, in perpetuity. Educational programs should focus on students in the Coastside, but also be available to students throughout San Mateo County. The SMC RCD has experience administering such funds and in participating in educational programs such as water quality monitoring in watersheds with the local high school (funding expired) and Range Camp, an annual event. Additional programs and curriculum might be developed that address marine habitat, intertidal organisms, seabirds, interactions of the coastal ecosystem, a Sea Camp, and other appropriate topics such as integrating marine science with resource conservation. Concepts could be incorporated into existing school programs to help meet learning standards and educational standards or assisting teachers in meeting their educational requirements. The program could help change how students learn by what they learn. Eventually, our children would grow up with an understanding of the whole ecosystem, from the top of the mountain down through the watershed into the estuary and tide pools and into the ocean. Potential partners include the Cabrillo and LaHonda/Pescadero Unified School Districts, Fitzgerald Marine Reserve, Elkus Ranch (UCCE), state and county parks, Monterey Bay Sanctuary, National Resource Conservation Service, and other local groups. The trust might even be named the Marine Urban and Rural Resource Environmental Learning Educational Trust or MURRELET, thereby creating a permanent remembrance of the environmental tragedy resulting from the Command Oil Spill.

Eliminating Environmental Impacts to Fitzgerald Marine Reserve. San Vicente Creek is a 5.5 square mile watershed originating on Montara Mountain and entering the Monterey Bay National Marine Sanctuary at Fitzgerald Marine Reserve in San Mateo County. A sign at the mouth of the creek warns visitors to the tide pools to keep out of the water as it is polluted. Environmental issues that have been identified include a damaged culvert at the mouth of the stream that is both unsightly and prevents anadromous migratory fish from entering the creek and polluted water entering the Fitzgerald Marine Reserve that contains high coliform counts from non-point sources such as horse stables, septic tanks and urban stormwater. Improving water quality entering the Reserve would enhance intertidal marine habitat and species. Potential projects include demonstrations to eliminate manure impacts through proper storage, handling and recycling into new uses, and surveying septic tanks to determine loads and then craft solutions to reduce impacts. The latter would require a strong educational component with residents in the watershed. Replacing the culvert and restoring the stream to grade would additionally create a potential benefit for threatened steelhead salmon to enter the stream and spawn. The Command Oil Spill Fund could contribute funding to help provide matching funds to other funding sources, such as San Mateo County, EPA, RWQCB, DFG, NOAA/NMFS, and others.

Restoration of the Pescadero Marsh. The Pescadero-Butano watershed is the largest watershed in San Mateo County encompassing 84 square miles, draining the crest of the Santa Cruz Mountains to the Pacific Ocean at the Pescadero marsh. The marsh, the largest in San Mateo County, has been seriously compromised from upstream impacts and past uses including farming and diking. A large sediment load has inhibited historical tidal exchange changing the marsh into more of a fresh water system supporting some non-native species such as beavers. The marsh is now owned by the park system whose priorities are justifiably spent on operating the park primarily for those enjoying the beach. Command Oil Fund dollars could be matched with other funding sources to develop and implement a marsh restoration plan, thereby returning this resource to a more functional estuary benefiting marine organisms and seabirds. The effort should be part of a larger effort to restore and maintain the entire watershed as the sediment impacting the marsh originates in the upper reaches of the creeks. That is, if one is rehabilitating an entire house, the first part that might be fixed is the roof. This is a good example of a project that encompasses the entire resource, from the top of the mountain down to the sea.

Apanolio Canyon Steelhead Passage Project. Apanolio Creek is a tributary to Pilarcitos Creek, the second largest watershed in San Mateo County. The Apanolio Canyon Steelhead Passage Project has already been approved, designed, engineered and partially funded. Permitting for the project will be initiated in July, 2002, with construction scheduled for late summer, 2003. The project will remove three barriers from Apanolio Creek and replace them with step pools allowing steelhead passage. Riparian habitat will also be restored. The project will create more than 4 miles of unimpeded stream flow for steelhead migration and habitat for spawning. Removal of each of the three barriers and restoration of the stream have a total estimated cost of approximately \$780,000. However, by requesting a proposal for removal of all three barriers at the same time, considerable economy of scale savings are projected. Presently, the project has \$370,000 committed from the RWQCB and CalTrans. A contribution from the Command Oil Spill Fund ranging from \$50,000 to \$200,000 would ensure completion of this project as any final funding needed would be much easier to obtain due to the large existing match. Expenditure of Command dollars on this project would go directly for project implementation, thereby creating a big and immediate return on investment.

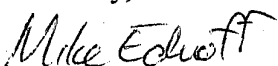
Marine and Watershed Resource Planning. A general program is proposed for outreach, education, and coordination in identifying problems impacting marine resources and marine organisms originating from San Mateo County coastal watersheds, urban areas, agricultural activities and other human uses and activities along the coast. A twelve month project could be designed to produce a catalog of problems impacting the coastal and marine environment by land use, watershed, and other activities. Problems identified that could be listed in the catalog include debris, nonpoint source pollution, poor land use practices requiring better management, erosion, gullies, water quality problems, dumping, municipal and rural road maintenance, riparian corridor encroachment, sedimentation, storm water runoff problem areas, instream cattle grazing, and water diversion structures. The project could also address water issues including allocation, storage and distribution as well looking at a coordinated and streamlined permitting process for resource improvements. Project partners would include all existing local groups working in these areas as well as the Sanctuary, NMFS, NRCS, RWQCB, DFG, and others.

The San Mateo County Resource Conservation District is grateful for this opportunity to comment on the scoping document and present concepts for the use of restoration funds. The mission of the SMC RCD is to promote the conservation of natural resources while maintaining the economic vitality of our region through the development of land stewardship ethics that result in long term sustainability of the state's rich and diverse natural resource heritage. The mission is achieved by working in partnership with land owners and managers, project funders, technical advisory sources, area jurisdictions, government agencies, and other groups and individuals.

The SMC RCD is a special district organized under California law and authorized by the state to "save basic resources- soil, water, and air - from unreasonable and economically preventable waste and destruction". The RCD encompasses the western portion of San Mateo County from Skyline Boulevard on the east to the Pacific Ocean on the west, and from the Santa Cruz County line on the south through parts of South San Francisco, San Bruno, Pacifica and Daly City to the north. The RCD is a public resource agency and has no enforcement or regulatory functions or authority. Landowners, be they public or private, partner with the RCD on a voluntary basis. The RCD is managed by five non-salaried directors, appointed for staggered terms by the San Mateo County Board of Supervisors. Operating funds are derived from a modest local tax base on land, contracts and grants, and fundraising activities. The RCD may receive tax deductible donations under Internal Revenue Service Code Section 170 (b) and (c) (1).

If the SMC RCD can be of any further assistance to the Command Trustees or submit full proposals for any of the project concepts listed above, please let me know. Thanks again for the opportunity to comment. The SMC RCD looks forward to working with you.

Sincerely,



Mike Ednoff  
Executive Director

June 4, 2002

Charlene Hall and Trustee Council  
U.S. Fish & Wildlife Service  
2800 Cottage Way, Suite 2605  
Sacramento, CA 95825

RECEIVED  
JUN 11 2002  
SACRAMENTO  
FISH & WILDLIFE OFFICE

Re: Draft environmental assessment and "Restoration Plan" relating to the 1998 tanker vessel *Command* oil release off shore of San Mateo County.

Dear Ms. Hall and Council:

I have been associated for close to 30 years with a coastal ranch property which also provides the privately operated access to approximately 1.3 miles of beach north of San Gregorio State Beach. I have seen multiple "oil spills" over the years; the *Command* incident was by far the worst, seemingly by a hundred fold. The nightmarish memory of watching the slick slowly move onshore and the globs of ensuing oil/tar and oil/tar encased birds dead and alive washing in is however always coupled with the memory of an elected official who really cares about the environment and the Coast Guard showing up within minutes of it touching shore. I will never forget how my own sense of disaster and desperation was assuaged by the Coast Guard Commander's resolve; referring to the culprits, he said: "We will find them and they will pay."

The environmental assessment of the impact of this oil slick found within the *Scoping Document* is disturbingly narrow. This assessment appropriately notes the impact to various bird species and recreational opportunities, i.e. visible impacts; but fails to note that the oil from the *Command* was dumped in the Monterey Bay National Marine Sanctuary (if not directly into the Sanctuary the drift was such that its impacts were concentrated therein). Although the impacts of oil on birds has an immediacy that is heart wrenching, the base resource that was impacted was not the birds but their habitat. The primary natural resource that was impacted was not birds but the ocean/water itself and by extension the very waters of the Monterey Bay National Marine Sanctuary which serves as "home" not just to birds but "to the greatest biodiversity in temperate regions of the world".

I recommend and urge that the monetary punitive and indemnificatory damages resulting from this gross act of pollution (to refer to it as a "spill" is misleading in that it was a deliberate "release") of this Sanctuary be allocated to non enforcement driven, i.e., the voluntary efforts directed at the elimination of point and non point pollution of its waters. Although the Sanctuary Area was so designated as a consequence of its relative cleanness its long term biotic integrity hinges on the success of the implementation of the Sanctuary's multiple action plans to this end. I therefore urge: 1) that a portion of these restoration funds (one million dollars) be allocated directly to Monterey Bay National Marine Sanctuary to be explicitly used to implement under-funded aspects of its "Water Quality Protection Program Action Plans" as they relate to San Mateo County's agricultural, rural lands, marinas and boating activities; 2) that a portion (one million dollars) be allocated to the Agricultural Clean Water Initiative Foundation (established by the California Farm Bureau) for its use in San Mateo County toward the Sanctuary's objectives incorporated in the "Action Plan IV: Agriculture and Rural Lands" - to fund lower priority and non or under funded tasks such as the development of practical and scientifically acceptable monitoring protocols and test kits for use by farmers and ranchers in conducting self monitoring of various management practices; 3) the remaining portion I urge be allocated to the San Mateo County Resource Conservation District which ought to be the Sanctuary's most active resource enhancement/conservation partner on the San Mateo County Coast.

This Resource Conservation District (RCD) is a public agency that at this time receives virtually no direct public support - it is a public resource conservation agency that is

essentially dependent on charity. It is noteworthy that San Vicente Creek which runs through the Fitzgerald Marine Reserve (which the *Scoping Document* indicates as a potential site for recreational access improvements - a site with its number one problem being too much recreational access already!) is polluted and has been for years. The RCD is the logical conservation entity to tackle this and similar problems that are impacting habitat and recreational values along the San Mateo Coast. The lagoon at San Gregorio State Beach likewise is posted every year now as hazardous to recreational activities due to pollutants. The RCD if adequately and appropriately funded (perhaps through an endowment fund created by the Trustee Council for this purpose) is the logical non regulatory agency to identify the source of these perennial "slicks" and create and effect the conservation/restoration of these intertwined natural and recreational resources. The RCD's proper leadership role and function as an educational and full service ("one stop shopping") resource conservation entity lies dormant for lack of requisite funding. A whole lot of money buys only a few old growth redwoods; but investment in a RCD endowment fund would buy a whole lot of enhancement/conservation of the Sanctuary's resources. Conceivably a two million dollar endowment could leverage through matching funds a net million dollars annually toward resource conservation along the San Mateo County Coast. (A word of caution here regarding the Marbled Murrelet: Rarely does a species go extinct because of one factor alone and the insuring of nesting habitat is not necessarily sufficient to insure survival of the Marble Murrelet Species. The individuals of this species that may have been impacted by the oil discharged from the *Command* certainly did not succumb as a consequence of the loss of preferred nesting habitat.)

In regards to the impact to recreational opportunities related to the *Command* incident: I do not believe that an overriding concern for loss of opportunities for fun times was the motivation of the legislators which authorized the Coast Guard Commander (or explains his personal resolve) to track down the *Command's* irresponsibles and make them pay. The impacted recreational resources were promptly restored to ante-incident levels. I urge that expenditure of the compensatory restoration funds be focused on the enhancement of the primary resource impacted (the Sanctuary) and that all enhancement of recreational values be derivative. I further urge the Council to reject "improving beach access and protection of natural resources through construction of access trails and boardwalks in sensitive areas" (emphasis added, page 13, *Scoping Document*).

I apologize for getting these comments to you near the last moment; I've just recently become aware that this "restoration planning" was in development. I appreciate the Trustees' solicitation of public input and review of its processes.

Sincerely,



Ron Sturgeon

cc: NOAA

California Dept. Parks and Rec.  
California Dept. Fish and Game  
Representative Anna Eshoo

The weekly  
newspaper for  
California Agriculture

FEBRUARY 6, 2002

# AG ALERT®

CALIFORNIA  
Vegetables  
SPECIAL SECTION

## Growers unite to clean up Monterey Bay

By Robyn Ruiter  
Managing Editor

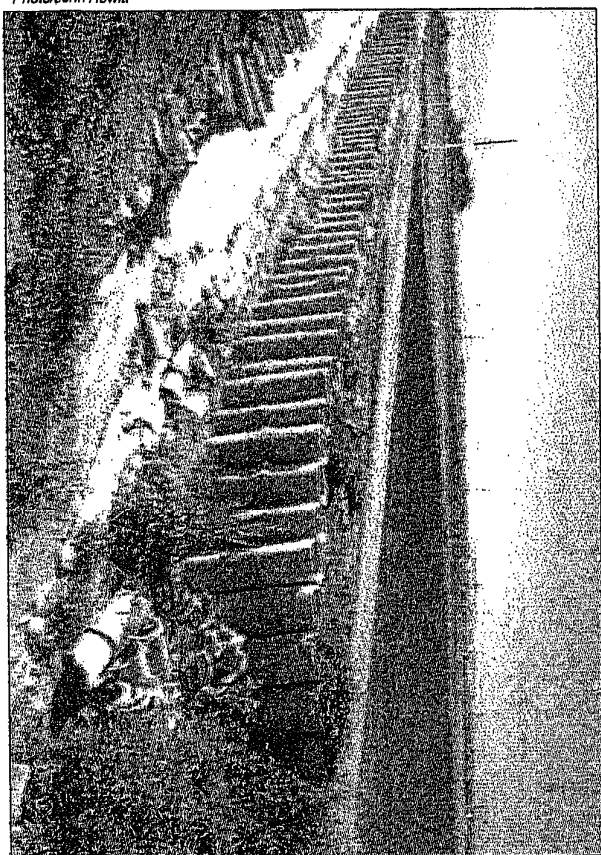
Protecting the Monterey Bay ecosystem is a priority for a coalition of six county Farm Bureaus on the Central Coast.

Farmers and ranchers in Monterey, San Benito, San Luis Obispo, San Mateo, Santa Clara and Santa Cruz counties have taken a proactive approach to prevent water pollution in the Monterey Bay, a tourist destination where thousands of people partake in scuba diving, fishing and whale watching each year. Realizing the importance of protecting the bay's marine life habitat, agricultural producers are voluntarily using best management practices to reduce the runoff of pesticides, nutrients (fertilizers and manure) and sediment from their operations.

The Coalition of Central Coast County Farm Bureaus is working to improve water quality and simultaneously reduce regulatory burdens on the region's producers.

The coalition receives funding from various sources including the Agricultural

Photo/John Hewitt



**A sediment retention wall and vegetation help prevent soil erosion.**

Clean Water Initiative Foundation, a nonprofit organization established by the California Farm Bureau Federation. ACWI obtains grants—such as a recent \$15,000 grant from the Harden Foundation and \$55,000 from Philip Morris Companies Inc.—to pay for research and monitoring of agricultural water quality. Grant funds also pay for county program coordinators.

John Hewitt, ACWI statewide coordinator, works with the coalition. "They've been recognized for their proactive efforts

to enhance water quality on the Central Coast," he explained.

A few years ago, the Monterey Bay National Marine Sanctuary created a water quality protection program which includes action plans for cities, harbors, businesses and agriculture. The coalition of county Farm Bureaus developed the agricultural element of that program. "The coalition folks worked with the sanctuary to develop something that was fea-

## NAS report backs farmers in Klamath

By Christine Souza  
Assistant Editor

A National Academy of Sciences interim report indicates government scientists did not have enough evidence to issue biological opinions that resulted in the refusal of water to 1,400 farm families. As a result, the Klamath Basin community experienced a loss in excess of \$200 million.

The National Academy of Sciences Committee on Endangered and Threatened Fishes in the Klamath River Basin is a group of researchers hired by U.S. Secretary of the Interior Gale Norton to review scientific decisions regarding endangered species in the Klamath Basin. In its report, the committee determined that there is no substantial scientific foundation at this time for changing the operation of the Klamath Basin Project to maintain higher water levels in Upper Klamath Lake for endangered sucker populations or higher minimum flows in the Klamath River main stem for threatened coho salmon populations.

"I am walking on cloud nine. I feel like an innocent person who is being released from prison and gets to go home," said

See MONTEREY, Page 10

Continued from Page 3

sible for the growers in the area. That provided the flexibility and opportunity to implement the sanctuary plan," said Hewitt, who works in CFBF's Natural Resources and Environmental Division.

The Central Coast Regional Water Quality Control Board also participates in the water protection program.

Various rivers and creeks drain into Monterey Bay, including the Salinas River; Chualar Creek in Monterey County; Pajaro River in San Mateo County; and Llagas Creek in Santa Clara County.

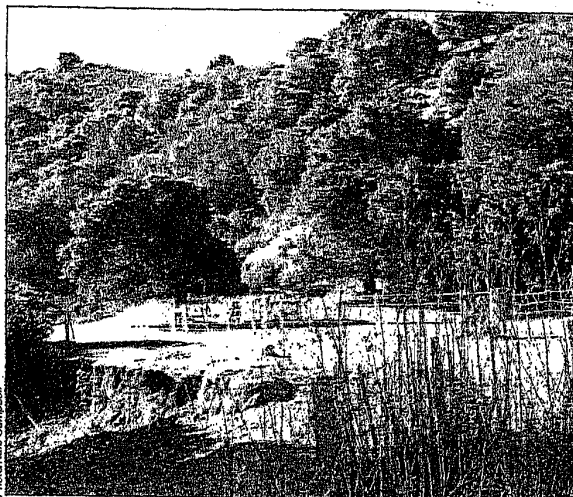
The Coalition of Central Coast County Farm Bureaus established several watershed working groups that address local water quality problems identified by regulatory agencies and researchers, said coalition coordinator Kelly Huff. If water quality problems are linked to agriculture, the working group implements improvement projects for the farm or ranch. The working groups receive technical assistance from agencies including the University of California Cooperative Extension, the Natural Resources Conservation Service and resource conservation districts.

"In the Central Coast area, the two biggest concerns are nutrients and sedimentation, in terms of what can be related to agriculture," Huff said.

Nutrients can cause algal blooms that deplete the water of oxygen, leading to fish kills.

Sedimentation is the deposition of eroded topsoil into water. Sediment can cloud up waterways and smother spawning grounds, preventing fish eggs from hatching. Sediment can also act as a carrier for pesticides, which can then move downstream and be absorbed by shellfish and birds. Furthermore, sediment can interfere with dredging; if there is contaminated sediment at the bottom of the harbor, it may be difficult to dispose of safely.

Practices that growers are using to prevent water pollution include planting cover crops and vegetating ditch banks to reduce runoff of water that may contain



The Chualar Creek watershed drains into Monterey Bay.

fertilizers, sediment and pesticide residues.

Some growers build sedimentation detention facilities "that slow down the water and drop out sediments and nutrients," Huff said.

In addition, "We're working with a lot of irrigated ag folks and fertilizer management is one of the key practices that we're working on," she said. "Some of the vegetable growers are working on monitoring their fertilizer use."

One of those growers is Dirk Giannini, a member of the Chualar Creek Watershed Working Group. Giannini participated in the UCCE Farm Water Quality Planning Short Course where he developed a water quality plan for his farm, Salinas-based Christensen and Giannini. As part of his plan, he regularly conducts soil tests in his lettuce and broccoli fields. "We're trying to monitor the amount of nitrogen levels we have in the soil before we make another fertilizer application," in order to prevent overapplication of fertilizers that could leave the field through the groundwater or surface runoff. "We are also try-

ing to keep the chemicals that we apply on our ranch." By reducing the amount of fertilizer and pesticide applied, he also saves money.

Giannini has a number of fields planted to cover crops and recently planted native grasses along a tailwater ditch to reduce erosion. "The root structures help prevent the soil from leaving," he explained.

"We also have tailwater return systems," Giannini said. "That is a process where all the runoff water from the fields comes into two ponds. One is a sediment pond, the other is the cleaner water. We catch and reuse all our tailwater."

The coalition works closely with Monterey Bay National Marine Sanctuary. "Overall, the sanctuary is really pleased with the initial progress of Farm Bureau in the first two years," said Holly Price, resource protection coordinator for the sanctuary.

"The sanctuary has the highest biodiversity of plants and animals in the temperate regions of the ocean," Price said.

"There are 94 species of seabirds, 345 species of fish. The offshore waters are in relatively good condition—that's why we're a marine sanctuary—but we do see problem areas in some of the rivers that drain into the sanctuary and right near shore. That can be things like elevated nitrate levels, some of the persistent pesticides that the growers aren't using anymore but are still sticking to the soil particles—things like DDT are moved down the watershed with erosion. So we're really looking at ways to help clean up those rivers and address the hotspots that we have, and prevent the kinds of crisis conditions that have happened elsewhere in the country," such as in the Gulf of Mexico and Chesapeake Bay, where nitrate pollution has created "dead zones" offshore. "We have an opportunity to work together and effectively manage this resource before we hit crises. That's a much better approach, I think."

Other county Farm Bureaus are proactively working to protect water quality in watersheds throughout California, including those in Imperial and Mendocino counties.

Hewitt and CFBF attorney Tess Dunham are working with Central Valley county Farm Bureaus to develop a coalition similar to that on the Central Coast.

These voluntary efforts enable farmers and ranchers to address water quality on their farms and stave off more government regulations.

Tim Frahm of the San Mateo County Farm Bureau said, "We do it in a voluntary fashion to avoid the eventual regulatory enforcement, and the agencies that I've been working with have been very cooperative, understand the process. The farmers that I'm working with understand the process. I think it's a dang good program."

There are also corollary benefits of developing an agricultural water quality program.

Frahm was successful in getting coastal San Mateo County designated as a geographical priority area for federal funding from the Environmental Quality Incentive Program.

"We're asking for the cooperating farmers to demonstrate and implement farming practices which reduce non-point source pollution, and we just can't expect the ag operators to implement things that are beyond the economic means of their business operation," Frahm said. "So compensation for practices is a large part of what I'm trying to do and the EQIP funding is very helpful in that regard."

Establishing an agricultural water quality program improves the environment as well as producers' bottom line. "We're just trying to do everything we can," Giannini said. "It helps us cut costs as well—it's a win-win situation."



Vegetable grower Dirk Giannini, left, leads representatives of



13



June 5, 2002

Ms. Charlene Hull  
U.S. Fish and Wildlife Service  
2800 Cottage Way, Room 2605  
Sacramento, CA 95825

Dear Ms. Hull:

# ENVIRONMENTAL SERVICES AGENCY

Agricultural  
Commissioner/ Sealer of  
Weights & Measures

Animal Control

Cooperative Extension

Fire Protection

LAFCo

Library

Parks &amp; Recreation

Planning &amp; Building

By this letter, we are requesting your consideration of two restoration projects at the Fitzgerald Marine Reserve totaling \$110,000 and expressing County's strong support for a third project being applied for by the San Mateo County Parks and Recreation Foundation for \$250,000 (item 3).

The 1998 oil spill from the T/V Command impacted the Fitzgerald Marine Reserve from September 28 to October 9, 1998 in the form of impacts to natural resources, loss of staff time for response to the spill and impacts to visitor use at the reserve. Natural resources affected were injuries to sea birds; most of which were common murres; but included on the list was one rhinoceros auklet. In addition, several hundred pounds of tar balls washed onto the Reserve's beach resulting in diminished human use of the reserve.

Our two proposals for the Fitzgerald Marine Reserve involve improvement of public access. They are:

## 1. Improve Trail to Seal Cove Section of the Reserve - \$50,000

The slope of this trail is very steep and would be improved by providing a series of steps and added trails to the beach and reef. The lower part of the trail as it descends to the beach would be protected with a reinforced retaining wall. A system of steps and graded trail would be the most appropriate design for this access which is steep and subject to rain and some surf erosion.

## 2. Trail to Moss Beach Reefs - \$60,000

This project at the main access to the Reserve would be a contoured graded trail that includes disabled access to a landing just above the beach. This reconfiguration of an existing trail allows for a safe access for visitors and school children on field trips. A stairway from the graded portion of the trail would continue onto the beach. This would be protected by an interior retaining wall located behind an existing seawall. The steps would be anchored into the substrate.

The proposal for the County Parks Foundation is:

## 3. Mirada Surf - \$250,000

The San Mateo County Parks and Recreation Foundation is applying for \$250,00 for acquisition of Mirada Surf in El Granada. County strongly supports the Foundation's efforts to acquire this property. It would provide additional access to the shoreline.

### PARKS AND RECREATION DIVISION

455 County Center, 4th Floor • Redwood City CA 94063 • Phone (650) 363-4020 • Fax (650) 599-1721



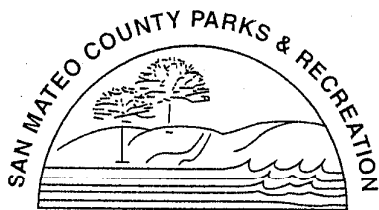
Thank you for your consideration of our two access projects. We feel that these are worthwhile projects well within the letter and spirit of the Command oil spill settlement.

Sincerely,



Mary E. Burns  
Director

c: Marcia Raines, Director, Environmental Services Agency  
Dave Moore, Superintendent of Parks  
Julia Bott, Executive Director, San Mateo County Parks and Recreation Foundation  
Ranger Bob Breen, Supervisor, Fitzgerald Marine Reserve



FOUNDATION  
BENEFITING COUNTY PARKS

- Coyote Point Marina
- Coyote Point Recreation Area
- Crystal Springs Trails
- Edgewood Park & Preserve
- Fitzgerald Marine Reserve
- Flood Park
- Heritage Grove
- Huddart Park
- Junipero Serra Park
- Memorial Park
- Pescadero Creek Park
- Pillar Point Marsh
- Sam McDonald Park
- San Bruno Mountain Park
- Sanchez Adobe
- San Pedro Valley Park
- Sawyer Camp Trail
- Woodside Store
- Wunderlich Park

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Julia Bott

215 Bay Road  
Menlo Park, CA 94025  
650-321-5812 voice  
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info@supportparks.org  
www.supportparks.org

June 5, 2002

Ms. Charlene Hall  
U.S. Fish and Wildlife Service  
2800 Cottage Way, Suite 2605  
Sacramento CA 95825

**RECEIVED**

JUN 14 2002

SACRAMENTO  
FISH & WILDLIFE OFFICE

RE: Command Oil Spill Public Scoping Document for  
Restoration Planning

Dear Ms. Hall:

The San Mateo County Parks and Recreation Foundation was established in 1998 to provide additional financial support for the recreational, environmental and educational programs and projects of the San Mateo County Parks and Recreation Department.

On behalf of the San Mateo County Parks and Recreation Foundation, I provided oral comments at the workshop that included questions to determine if acquisition to compensate for loss of human use was an appropriate expenditure for the restoration funds and if the amount to be spent on that compensation for loss of human use was limited to \$113,386. Representatives at the meeting indicated that there was no specific language indicating that acquisition couldn't be used to address loss of human use and that the process would determine the amount to be spent on each activity.

Based upon the response, we urge that an allocation of \$250,000 for the acquisition of the Mirada Surf shoreline parcel be included in the list of restoration projects designed to address the loss of human use.

We also believe that the projects to improve access and educational opportunities at Fitzgerald Marine Reserve are appropriate for the fund. The San Mateo County Parks and Recreation Foundation has supported interpretive signage at the reserve through grants to the County Parks Division.

The acquisition of Mirada Surf has become a priority for the County of San Mateo since your initial investigation of potential projects to address the loss of human use. The San Mateo County Parks and Recreation Foundation is actively raising money for this acquisition.

June 5, 2002

Ms. Charlene Hall

U.S. Fish and Wildlife Service

RE: Command Oil Spill Public Scoping Document for Restoration Planning

Page 2

Mirada Surf is a 49-acre parcel located at the south end of El Granada, a community in the unincorporated mid-coast of San Mateo County. The property lies on both sides of Highway 1 and includes the only undeveloped coastal bluff in the region. Characteristics include mixed terrain and vegetation types, including coastal bluff, a creek with healthy riparian vegetation, seasonal wetlands, grasslands, and forested hillsides.

The property has been designated as Open Space or Community Park in the General Plan and Local Coastal Plan for over 25 years. In January 2002, the County of San Mateo purchased the inland portion of the property. The County currently holds an option on the shoreline parcel.

This is key piece of undeveloped land in an area with significant development pressure. The proximity of this part of the coast to urban areas and the improvements, such as Pillar Point Harbor, make this a popular regional destination. Improved coastal access and additional opportunities for public recreation are critical to the meeting the recreation and public safety needs of both visitors and residents. Purchase of the parcel would provide many benefits to the community, including:

- establishing a permanent greenbelt;
- preservation of coastal and hillside views from Highway 1;
- protection of sensitive wetlands;
- public ownership of lands with segments of proposed regional trails;
- opportunities to improve safety and parking for coastal access;
- linkage to Quarry Park and other public lands.

The property lies just south of "Surfers Beach" and is very visible from Highway 1. It is one of the few places on this part of the coast where there is a great view of the beach from the highway. The open nature of the site combined with its location makes it a natural destination for coastal visitors.

Unfortunately, coastal access and the coastal trail on the site are not improved. Previous attempts to improve access have failed as they are predicated upon final development permits. Acquisition will address this problem.

This beach is well suited for encouraging human use. Located in the curve of the bay, it has expansive views to south and of the harbor to the north. Additionally, it is a relatively safe beach for children, except that the access has not been improved. Finally, recreational activity in this area has less impact on marine species and dune dependent birds as it does not have the sensitive habitats found in the intertidal zone at Fitzgerald Marine Reserve to the north or the sand dunes to the south.

The acquisition and subsequent improvements to the Mirada Surf parcel meet the Project Selection Criteria.

Nexus to Injured Resources - As indicated above, this acquisition will encourage human use. Additionally, while there are no numbers on this, since Surfers Beach is heavily used, it can be expected that there was a greater level of impact in this location.

June 5, 2002

Ms. Charlene Hall

U.S. Fish and Wildlife Service

RE: Command Oil Spill Public Scoping Document for Restoration Planning

Page 3

Feasibility - The owners are willing sellers and are cooperating with the acquisition efforts.

No Duplicate or Replacement Funding - The San Mateo County Parks and Recreation Foundation is actively seeking funds for the acquisition from the California Coastal Conservancy and private sources. There are no funds in the County's budget for acquisition of this parcel.

Legality - The project complies with all applicable laws.

Likelihood of Success - This project is a high priority with broad-based support and has a high likelihood of success. The County Board of Supervisors and the Mid-Coast Community Council are actively working on the acquisition. The project is supported by Congresswoman Anna Eshoo, State Senators Byron Sher and Jackie Speier, and Assemblymember Joe Simitian. Numerous community and environmental groups also support the project.

Cost Effectiveness - The purchase price agreed upon by the County of San Mateo and the sellers is consistent with the property's appraised value.

Multiple Resource Benefits - The purchase would allow for improved access and encourage recreational activity in a location that does not support sensitive shore or intertidal species.

Duration of Benefits - The benefits of acquisition for the community to enjoy the beach would be permanent.

Public Health and Safety - Acquisition would allow improvements for public health and safety to be completed.

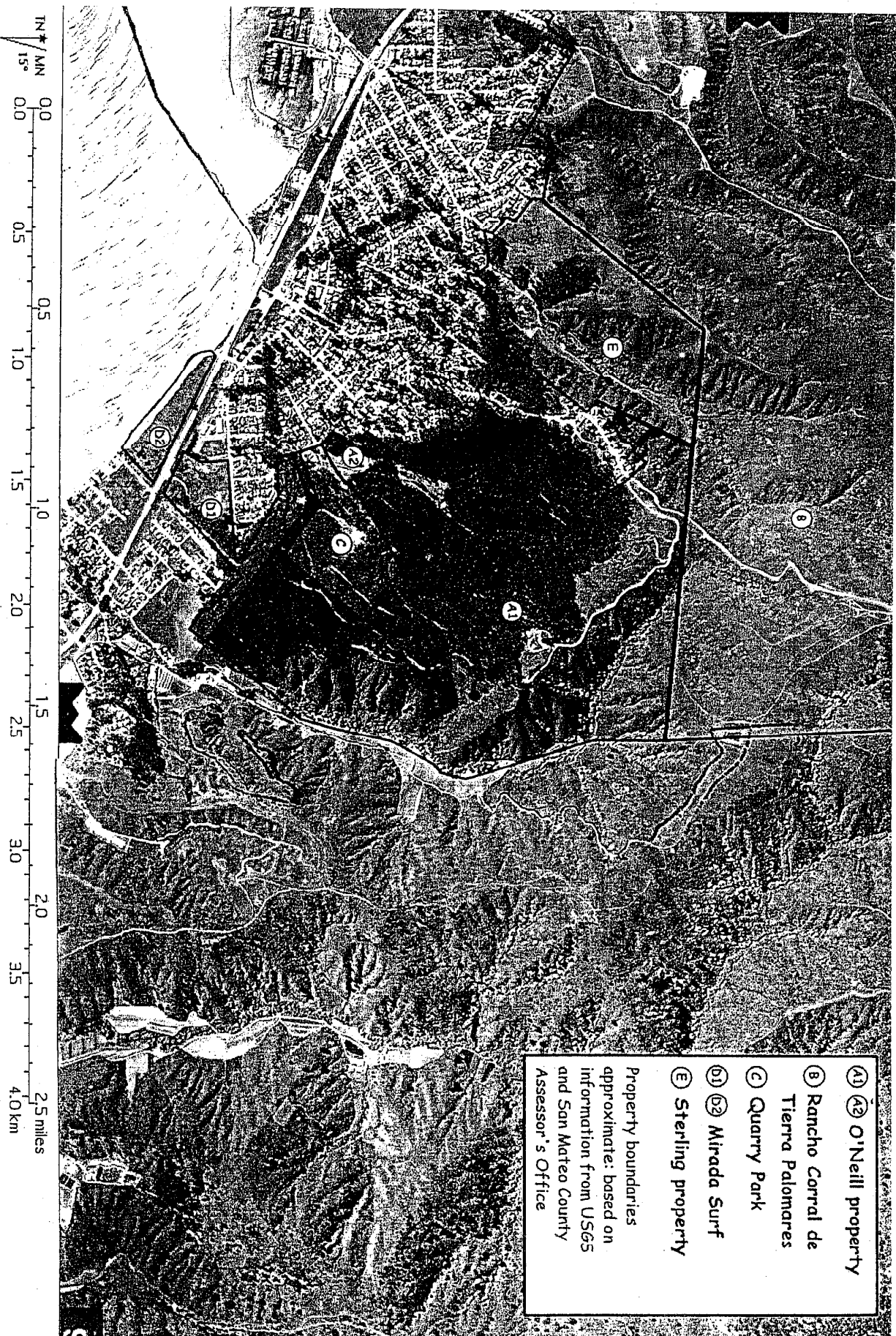
Thank you for your careful consideration of this request. Please contact me at 650-321-5812 or [Julia@SupportParks.org](mailto:Julia@SupportParks.org) if you need additional information.

Sincerely,



Julia Bott

Executive Director



- Ⓐ Ⓐ² O'Neill property
  - Ⓑ Rancho Corral de Tierra Palomares
  - Ⓒ Quarry Park
  - Ⓓ Ⓓ² Mirada Surf
  - Ⓔ Sterling property
- Property boundaries approximate: based on information from USGS and San Mateo County Assessor's Office



"Bernie Tershy"  
<tershy@islandconservation.org>

To: <Charlene\_Hall@fws.gov>  
cc:  
Subject: Command Trust comments

06/05/2002 02:42  
PM

Dear Dr. Hall,

I wish to comment briefly on the Command Trust's restoration opportunities.

According to my unpublished analysis of IUCN Red-list data, introduced mammals are the main cause of both seabird extinctions and current seabird endangerment. Removing introduced mammals from protected islands where seabirds currently or formerly bred is almost certainly the most cost effective way to "make seabirds".

In the region impacted by the Command spill, there several important opportunities to remove introduced rodents from seabird breeding islands as outlined in this table. More information about these islands and this table can be found at

[http://macarthur.ucsc.edu/dbase/ISLA2.EXOTMAM\\_START\\_BYISLAND\\_p\\_SF.show](http://macarthur.ucsc.edu/dbase/ISLA2.EXOTMAM_START_BYISLAND_p_SF.show)

Of the conservation opportunities listed in the table, the most important is undoubtedly the removal of *Mus musculus* from the Farallon islands.

I urge the council to consider introduced mammal removal as a means of habitat restoration, and would be happy to provide more detailed documentation or answer any questions you may have.

Island	Genus	Species	Common Name	Status	Source	
	Alcatraz-SF	Peromyscus	maniculatus		Present	Schoenherr, 1999
		Rattus	norvegicus	Rats	Present	Schoenherr, 1999
	Angel	Microtus	californicus		Present	,
		Odocoileus		Deer	Present	Schoenherr, 1999
		Procyon	lotor	Raccoons	Present	Schoenherr, 1999
		Rattus	norvegicus	Rats	Present	Schoenherr, 1999

Brooks

Microtus

California  
Vole

Present

		Rattus	norvegicus	Rats	Present	Schoenherr, 1999
	Browns	Procyon	lotor	Raccoons	Present	Schoenherr, 1999
	East Marin	Rattus	norvegicus	Rats	Present	Schoenherr, 1999

Island	Genus	Species	Common Name	Status	Source	
	Farallon South	Mus	musculus	House Mice	Present	Schoenherr, 1999
	West Marin	Rattus	norvegicus	Rats	Present	Schoenherr, 1999

Sincerely,

Bernie Tershy, Ph.D.  
 Director,  
 Island Conservation  
 Center for Ocean Health  
 100 Shaffer Rd.  
 University of California  
 Santa Cruz, CA 95060 USA

(831) 459-1461

[www.islandconservation.org](http://www.islandconservation.org)



"Bradford Keitt"  
<bkeitt@islandconser  
vation.org>

06/05/2002 02:36  
PM

To: <Charlene\_Hall@fws.gov>  
cc:  
Subject: public comment on Command Spill

7



I applaud the people responsible for securing monies to help restore the natural resources impacted by the Command Spill. I feel strongly that the trustees should critically evaluate the opportunities that are presented to them for spending these monies.

I wish to suggest the following as potential ways to use the available funds:

1) Brown Pelicans: Every year a large number of Brown Pelicans (and cormorant species) are injured and or killed by recreational fishing hardware on the Santa Cruz wharf and other locations. I think the Command spill money should be spent to 1) educate fishermen how to minimize bird interaction while fishing, 2) set up signs and no fishing zones during times of year when fishing/pelican interactions are most likely, 3) conduct studies to learn ways to minimize seabird impacts from fishermen. This activity will also benefit Western Gulls, Double-crested Cormorants, and Brandt's Cormorants and potentially loons and grebes.

2) Ano Nuevo Island: This is an under-utilized seabird habitat and with the correct restoration activities it could support viable populations of Rhinoceros auklets and other marine birds. Money to restore this island will be money well spent.

3) Many of the seabird species that occur in the oil affected areas during the fall are breeders from southern California and Mexico. This is especially true for September 1998 when warm water El Nino conditions were prevalent. Even though species such as Xantus's Murrelet and Black-vented Shearwater did not get collected during beach surveys it is well established that the vast majority of oiled birds sink or are scavenged before they are found by an observer. Furthermore, surveys in Monterey bay during the fall of 1998 indicated that Black-vented shearwaters were, at times, the most common shearwater in the area.

Conservation action to protect seabirds in Mexico are often significantly more effective per dollar invested because of the cost of working in Mexico is lower. The trustees should consider using some of the available money to protect species that were potentially impacted by the command spill by protecting their breeding habitat in Mexico. This would include Xantus's Murrelets, Cassin's Auklets, Black-vented Shearwaters, Ashy Storm-petrels and others...

4) The trustees should take a population level approach to evaluating how they will spend the resources available. Even though Common Murres were the most common species found during recovery activities it does not mean that the most money should be spent on this species. It would be easy to run population models to assess what the population level effects of the measured and estimated mortality from the Command Spill was for Common Murres. I think it would clearly show that the impact was negligible. Furthermore, the same exercise could be run on what the population level effects of the proposed restoration projects would yield- again it would probably show that the proposed restoration would not significantly change the population viability of the San Mateo county common murre population. I feel strongly that ALL funds from the command spill should be spent on species with more pressing conservation issues, such as Marbled Murrelets, Brown Pelicans, Xantus's Murrelets, etc.

Thank you for your attention.

\*\*\*\*\*

Bradford S. Keitt  
Island Conservation and Ecology Group  
Center for Ocean Health, LML  
100 Shaffer Road

University of California

Santa Cruz, CA 95060

831.459.1476

bkeitt@islandconservation.org

\*\*\*\*\*

8



William J Sydeman  
<wsydeman@prbo.org>

To: Charlene\_Hall@fws.gov  
cc:  
Subject: Command Spill

06/06/2002 08:48  
PM

Please respond to  
wsydeman

Dear Command Spill Trustees,

In addition to the auklet project detailed via communication from Michelle Hester of Oikonos, I would like to suggest the following projects:

(1) Establishing the feasibility of the "Farallon Archipelago National Marine Park and Reserve". Arguably, the most significant seabird, marine mammal, leatherback turtle region along the West Coast of North America, globally significant in terms of biodiversity and abundance of marine birds and other organisms, and home to ~100K Common Murres at present, has little to no protection from exploitation in the waters surrounding the islands. Fishery interactions have had major effects on Farallon seabirds. Because the Farallones is so unique to California, the West Coast, and the world, an easy to understand and compelling argument can be made to protect waters surrounding the island from exploitation. Indeed, if seabird mortality from oil and fisheries mortality can be held in check, the only thing lacking for us to witness exponential growth of the Farallon murres is food. In this new cold-water regime (see last 3 CalCOFI Reports: Bograd et al. 2000, Durazo et al. 2001, Schwing et al. 2002), bird populations are rebounding rapidly. Therefore, new protection to enhance some/all of the Farallon forage fish, zooplankton, and squid resources is essential and timely. Preliminary discussions with sport and commercial fisherman indicate great interest and a good deal of support. All understand that the Farallon Archipelago is a worldwide treasure, "California's Galapagos", unique and worthy of broad-scale and long-term protection. These protected waters could provide a refugia for ecosystem constituents under periods of food stress, and a place of extraordinary biological richness under favorable environmental conditions. The reserve would include both federal and state waters, with lead management by NOAA/DOI. This project will dovetail with other initiatives, including the Pelagic Predators, Prey and Processes (a project of PRBO Conservation Science, NOAA's Institute for MPA Science, and the Nat. Fish and Wildl. Found.) to investigate the feasibility of outer continental shelf, shelf break and slope marine reserves in the entire California Current System (Baja to BC) (NAFTA CEC, etc.). I believe the time is ripe for a project of this magnitude, and I believe we would be successful.

Timeline: 3-5 years. Start: Feb. 2003. Cost: \$150K/year for information gathering (the science must be sound -- if it is, the fishers will respond favorably), coalition building, policy development, implementation strategies, and development of long-term monitoring scheme to measure efficacy of the reserve.

(2) Population Biology and Prey Consumption of the Common Murre in central California. Goals: (re-)Establish primary demographic parameters and expand upon existing murre population models in relation to fisheries and oil mortality and climate change/ecosystem dynamics. Update previously published estimates of fecundity, mortality, breeding propensity, age-at-first breeding, juvenile and sub-adult survival. Develop population-level estimates of prey consumption for inclusion in CDFG FMPs, and similar documents. Timeline: 3-5 years. Cost: \$125K+/year.

(3) Predator control on the Farallones. Mice, owls and gulls are causing mortality of small seabirds (auklets and petrels). This mortality is having a population level impact. This restoration project would develop the means and science of predator control, and implement translocations and other programs. Cost: \$150K/year for 3 years.

(4) Habitat restoration on the Farallones. A plethora of smallish projects to promote seabird population growth. Timeline: 3-5 years. Costs: 60+K/year.

(5) Website - "Seabirds of the California Current System". Outreach to the public, educate, promote the value of science, etc. Cost: \$60K/year for 2-3 years.

Sincerely yours,

Bill Sydeman

--

William J. Sydeman, PhD  
Director, Marine Science Division  
PRBO  
4990 Shoreline Highway  
Stinson Beach, CA 94970  
415-868-1221 x. 319 (voice) NOTE NEW EXTENSION  
415-868-1946 (fax)



"Michelle Hester"  
<michelle@oikonos.org>

To: <Charlene\_Hall@fws.gov>  
cc:  
Subject: Comment on Command Restoration Planning

06/06/2002 05:02

PM

Please respond to  
"Michelle Hester"

Dear Command Trustees,

Please accept the attached comment in response to the "Command Oil Spill Public Scoping Document for Restoration Planning".

Thank you for the opportunity to comment.

Sincerely,

Michelle Hester<sup>1</sup>, Julie Thayer<sup>2</sup>, and William Sydeman<sup>2</sup>

1. Oikonos - Ecosystem Knowledge, PO Box 979, Bolinas, CA, 94924,  
michelle@oikonos.org

2. PRBO, 4990 Shoreline Hwy, Stinson Beach, CA, 94970, jthayer@prbo.org



Comment to Command\_Ano Nuevo Seabird Restor

6 June 2002

**Comment in response to the "Command Oil Spill Public Scoping Document for Restoration Planning"**

Michelle Hester<sup>1</sup>, Julie Thayer<sup>2</sup>, and William Sydeman<sup>2</sup>

1. Oikonos – Ecosystem Knowledge, PO Box 979, Bolinas, CA, 94924, michelle@oikonos.org

2. PRBO, 4990 Shoreline Hwy, Stinson Beach, CA, 94970, jthayer@prbo.org

**Restoring Seabird Habitat and Conserving Biodiversity on Año Nuevo Island**

The goal of this comment is to inform the Command Trustees of a restoration project in development with the State of California Dept. of Parks and Recreation that shares objectives with the Command Oil Spill Restoration Plan to restore injured natural resources. The project, *Restoring Seabird Habitat and Conserving Biodiversity on Año Nuevo Island*, will improve the long-term stability and quality of seabird habitat through revegetation, erosion-reduction and restoration research. This project will directly benefit seabird populations impacted during the Command spill and provide unique research opportunities to evaluate the response of seabird communities to habitat restoration. We propose the Trustees evaluate this project for inclusion in Command Restoration Plans.

**Background**

Año Nuevo Island is the main breeding and resting refuge for marine birds and mammals off the San Mateo County coast. The island habitat has been completely altered by human use and currently the rate of erosion and almost complete absence of native vegetation is threatening the ability of marine species to coexist, particularly seabirds. Numerous researchers and managers have been concerned about the habitat on this refuge.

The diverse assemblage of seabird species that depend on Año Nuevo Island and will likely benefit from this project include: Brown Pelicans, Rhinoceros Auklets, Cassin's Auklets, Pigeon Guillemots, Brandt's Cormorants, Pelagic Cormorants, Storm-petrels (Ashy and Fork-tailed), Black Oystercatchers, Heermann's Gull, and Western Gulls. The entire seabird community is sensitive to oil contamination and our ability to quantify injury varies greatly by species and survey method. During the brief surveys conducted during the Command event, five of the above species were observed in the vicinity of oil (Boyce and Hampton 2002). Brown Pelicans have already been identified as a target species for Command restoration funds. Rhinoceros Auklets have received little attention during natural resource damage assessments in California despite the documented injury, often second only to Common Murres (Page et al. 1990). Rhinoceros Auklets remain on Año Nuevo Island at least through the end of September as evidenced by the presence of late fledglings and fresh burrowing activity (Hester 1998 and Thayer

et al. 1998). Año breeders may have been present and injured during the Command event. Information on post-breeding dispersal is needed to estimate the vulnerability of California populations to oil spills in the fall and winter seasons.

### **Immediate Action**

Burrowing seabirds on Año Nuevo Island are limited by poor habitat quality and breeding success and adult survival is threatened by constant burrow collapse during the breeding season (Thayer et al. 2000). Seabird communities evolved in this dynamic coastal environment and can adapt when habitats change gradually. The recovery of California Sea Lion and Brown Pelican populations contribute to loss of vegetation via trampling, however, the erosion process has undoubtedly accelerated also due to past introductions of grazers and exotic plants. Within three years the vegetation in alcid and gull breeding areas has almost completely disappeared. Since 1998, the proportion of natural burrows that collapse due to erosion during chick rearing has increased annually (Thayer unpublished data). Cassin's and Rhinoceros Auklets and Pigeon Guillemots are able to rear chicks in artificial nest boxes, yet displacing the population into artificial nests is not a long-term solution.

Unfortunately, no other predator-free habitat exists in the region to support the density of burrowing seabirds on Año Nuevo Island if it becomes uninhabitable. This Rhinoceros Auklets colony plays a role in the recovery of the species to its former breeding range in the Channel Islands as immigrants may facilitate recolonization (McChesney et al. 1995). Recreating a diversity of habitats and stabilizing the marine terrace soil will improve the ability of pelicans, gulls, alcids, and pinnipeds to coexist. Over-arching goals of this project include the restoration of natural processes and long-term conservation of biodiversity.

### **Specific goals**

#### **Actions:**

- 1) Revegetate a portion of the marine terrace, the main habitat for burrowing seabirds, with a diversity of native shrub and grass assemblages. We predict this can be accomplished with three years of intensive restoration, followed by 5 years of secondary adaptive maintenance and research. Planting will be synchronized with seasonal rain and use of the island by pinnipeds and Brown Pelicans.
- 2) Repair the rainwater catchment system to irrigate plants until natural processes are restored.
- 3) Design multi-species studies to quantify the response of seabird communities to improved habitat quality. We will investigate fluctuations in nesting density and population growth, predation rates, breeding performance, survivorship, and prey use and chick provisioning parameters of burrowing species.
- 4) Integrate habitat restoration research and maintenance as a key component of long-term seabird population monitoring.



These actions will accomplish:

- 1) Protection of one of the few remaining breeding and resting refuges for seabirds in California.
- 2) Restore diversity to the island plant community to enable marine birds and pinnipeds to coexist.
- 3) Reduce visual and predatory disturbance to seabirds (caused by humans, kleptoparasitism, and avian predators) that limits colonization and survivorship.
- 4) Provide valuable knowledge on island habitat restoration techniques to apply elsewhere. Numerous islands suffer from similar habitat perturbations and learning how to restore natural processes to extreme island environments will increase our ability to conserve populations, biodiversity, and precious island ecosystems.

## Feasibility

The first year of restoration efforts have already begun in the form of drafting action plans and creating collaborations and gathering experts (Go Natives Nursery, Moss Landing Marine Laboratories, University of California Santa Cruz, Año Nuevo State Reserve, Point Reyes National Seashore restoration team). Unique project benefits include the small target area (less than one acre) and the immediate availability of appropriate native plant species (Dave Sands, Go Natives Nursery, Pacifica, CA). The feasibility of this project is dependent on collaborations, aggressive restoration action integrated with sound science, long-term commitments, creativity, and money. Money is all this project is lacking. Postponing a year to begin erosion control efforts would further compromise the auklet populations in particular. Planting will begin in winter 2002/2003. Year 1 is presently funded by in-kind services and contributions. Annual costs for phase I (years 1-3) are estimated at \$200K and phase II (years 4-8) at \$80K.

Importantly, aggressive planting and erosion control must be conducted with limited wildlife disturbance. Thayer and Hester have ten years of collective experience on Año Nuevo Island conducting research to conserve seabirds, creating State Park protocols to reduce researcher disturbance, and serving as advisors for island projects. All aspects of the restoration and following studies will be designed to limit island visits and negative impacts to all resources.

## Literature Cited

- Boyce, J. and S. Hampton. 2002. Command Bird Injury Report. Final Report to the Command Trustee Council.
- Hester, M.M. 1998. Abundance, reproduction and prey of Rhinoceros Auklet, *Cerorhinca monocerata*, on Año Nuevo Island, California. Thesis, Moss Landing Marine Laboratories, San Francisco State University.
- McChesney, G.J., H.R. Carter, and D.L. Whitworth. 1995. Reoccupation and extension of southern breeding limits of Tufted Puffins and Rhinoceros Auklets in California. Colonial

Waterbirds 18:79-90.

Page G.W., H.R. Carter, and R.G. Ford. 1990. Numbers of seabirds killed or debilitated in the 1986 Apex Houston oil spill in central California. In S.G. Sealy (ed.) *Auks at Sea*. *Studies in Avian Biology* 14.

Thayer, J.A., T.C. Murray, M.M. Hester, and W.J. Sydeman. 1998. Conservation Biology of Rhinoceros Auklets, *Cerorhinca monocerata*, on Ano Nuevo Island, 1993 to 1998. Report to Ano Nuevo State Reserve, State of California Department of Parks and Recreation, San Mateo County.

Thayer, J.A., M.M. Hester, and W.J. Sydeman. 2000. The Conservation Biology of Rhinoceros Auklets on Año Nuevo Island, California, 1993-1999. *Endangered Species Update* 17-3:63-67.

Josh Adams  
Comments



Jennifer Boyce  
<Jennifer.Boyce@noaa.gov>

To: Charlene Hall <Charlene\_Hall@fws.gov>, Kolleen Bannon  
<kolleen.bannon@noaa.gov>

cc:

Subject: [Fwd: command spill letter]

06/07/2002 09:27  
AM

FYI-comment for Command Scoping. This came in within the comment period but they had the wrong address for Charlene. Have we gotten any other comments?

----- Original Message -----

From: "Josh Adams" <cerorhinca@hotmail.com>

Subject: command spill letter

To: sharlene\_hall@fws.gov

CC: jennifer.boyce@noaa.gov

Dear Sharlene and Jennifer,

I have attached a word document and have included a text version below of comments to the Draft Restoration Plan / Scoping Document for the Command Spill settlement. Please include our comments for review. Could you also acknowledge receipt of this document. Thank you very much.

Josh Adams & Hannah Nevins

-----

June 5, 2002

Dear Trustees;

We attended the Command Spill scoping meeting in Half Moon Bay, and would like to thank the Trustee council for making this process open and accessible to the general public for review and input. We believe that local community support and research efforts will ultimately help you achieve the goals to "restore, rehabilitate, replace or acquire the equivalent of the affected natural resources" damaged or lost during the Command Spill incident. After reviewing the Draft Restoration Plan and Scoping Document and Bird Injury Report we present the following additional comments, concerns, and ideas for your review. Our comments are specifically directed toward restoration efforts for injuries to seabirds.

First, we suggest the Trustees consider the priorities for seabird conservation set by an international council of seabird specialists listed below .

- 1) Conduct surveys and censuses of seabird colonies (esp. rare species) to establish information necessary to detect baseline trends in populations
- 2) Eliminate alien species from nesting islands
- 3) Establish new and improve existing reserves
- 4) Prevent or reduce habitat disturbance and destruction
- 5) Protect seabirds from over-exploitation
- 6) Educate the public and publicize seabird related issues
- 7) Establish and provide legal protection

8) Continue applied research

Only by reducing ocean pollution and by acting on a combination of these priorities can we successfully 'restore' seabird populations. Seabirds are long-lived, with high adult survival and low fecundity. For some species, decreasing other human-related mortality of adult birds (e.g. reduction or elimination of bycatch) may be the key to enhancing populations also affected by oil spills. In other species, seabird population enhancement may require a combination of more diverse efforts. We suggest that projects considered within the Command spill restoration plan incorporate aspects from the priorities listed above. While education and research are often treated as separate and isolated activities not related to 'restoration' efforts, we suggest that both components are integral to the success of restoration. Without good education the public will remain uninformed and uninterested in seabird conservation. Without good research, population censusing, monitoring, and evaluation, we cannot measure the effectiveness of our restoration efforts.

In the draft plan, the Marbled Murrelet, a small inconspicuous but important member of the central California seabird community, was highlighted for damage restitution. We also suggest that restoration actions account for other small, inconspicuous, and under-represented species likely damaged by the spill, including storm-petrels, auklets, Rhinoceros Auklets, and Pigeon Guillemots. Mortality estimates derived from aerial and beach surveys should have been compiled and reported for ALL species affected and those considered at risk. The Committee should have applied and reported correction factors and adjustments based on body size or occurrence patterns for other under-represented species similar to the analyses involving murrelets and murres. Without estimates for ALL species, it is difficult to evaluate the impact to the entire seabird community and designate relative impact to particular species.

This spill affected seabirds at a geographic scale that extends beyond San Mateo County. We need to realize that oil spills off California affect both resident and migratory seabirds. Oil spills off California may contribute to the decline of seabirds that breed in other states (e.g. Northern Fulmar, Alaska; Black-footed Albatross, Hawaii) and countries outside the United States (Mexico, Chile, New Zealand).

Shearwaters. This spill occurred just prior to the migration of Sooty Shearwaters back to southern hemisphere nesting colonies. The Sooty Shearwater was the second most abundant dead bird recovered in this spill and by far the most abundantly sighted during aerial surveys flown within

the area affected by spilled oil. Unlike the Common Murre and Marbled Murrelet, no mortality estimates were calculated for the Sooty Shearwater.

The bird injury report and methods for estimation would suggest that this species might have been numerically the most affected.

Sooty Shearwater abundance has declined significantly off California in recent decades. Mammals introduced to breeding islands and mainland colonies

in New Zealand have depleted Sooty Shearwaters. While Sooty Shearwater also

nest Chile and Tasmania, the recovery of a bird banded as an adult during

the nesting season in New Zealand suggest this sub-population was affected

by the Command Spill. Three other shearwater species were observed within

the spill area, and like the Marbled Murrelet, may also have been affected.

First, Buller's Shearwater, a New Zealand endemic, nests only on one island

and therefore is vulnerable given its restricted breeding distribution and

low numbers. Second, the Black-vented Shearwater also is restricted to several islands off Mexico, also has a low total population size, and is affected by introduced predators. Third, the Pink-footed Shearwater is considered globally threatened. Nesting in reduced numbers only on several

islands off Chile, Pink-footed Shearwater is vulnerable to introduced predators, human consumption, and habitat destruction.

Effective seabird restoration could be achieved by allocating funds to help

remove introduced competitors and predators at shearwater colonies in Mexico, New Zealand, and Chile. In addition, seabird conservation efforts

will benefit by establishing and funding educational outreach and community

involvement related to restoration efforts, not only in Mexico, New Zealand,

and Chile, but here in California as well. We need to educate people in our

country and make them understand that our oil pollution has a global-scale

effect on seabirds. We support allocation of funds to help eradicate introduced predators on seabird colonies to help restore populations in Mexico, New Zealand and Chile. We would also support funding for education

and community outreach in these countries and in here California regarding

the importance of our coastal marine ecosystem to a large number of migratory species.

Marbled Murrelet. Although not recovered, it was calculated that Marbled Murrelets, were likely impacted by the Command Spill. Restoration for potentially affected murrelets is best achieved through permanent protection

of the remaining old-growth redwood stands along the central and northern

California coast. In the absence of future oil spills, the presence of suitable nesting habitat alone will determine the fate of this species.

We support purchasing the remaining old-growth redwood stands in California.

Common Murre. The Common Murre was most represented in terms of numbers of

injured and dead birds recovered on beaches along central California.

Actual

restoration of the portion of the murre population affected in this spill

will take many years to achieve. A variety of factors, not all well understood, limit the recovery of murres to their former numbers and to pre-spill numbers. The sub-population affected by this event is not known. A

band recovery from a bird banded on the Farallon Is. presents strong evidence that at least a portion of birds affected were part of the Farallon

sub-population. We do not know the extent to which other sub-populations or colonies were affected.

We support a significant portion of the money allocated to damage restitution be applied to research and education involving this species.

We must increase our knowledge regarding the demography of this species before we can effectively estimate damages to populations caused by oil spills. We suggest that money be allocated to initiate efforts to help understand the potential demographic consequences of future spills to the California murre population. Efforts should be focused on banding and recapturing birds (adults and chicks) at sea in order to help determine the basic demographic information required for population assessment (survivorship, longevity, and gene flow). Observations of birds banded at sea and later seen attending colonies will provide a link between breeding sub-populations and foraging areas of birds affected by spills. Recoveries of banded birds in future spills will aid in determining specific damages to sub-populations and help determine the effectiveness of restoration programs. We support continued monitoring of abundance, reproductive success, attendance, and disturbance at California murre colonies. Because murres in California are not presently limited by the availability of nest sites, and also are not affected by introduced predators or habitat destruction at their colonies, direct restoration efforts are not required. Murre populations in California can only be restored through decreased anthropogenic mortality. We also support increasing educational outreach as a means for promoting seabird conservation awareness.

Colony restoration. Locally in San Mateo County, Año Nuevo Island is one of a few nesting islands available to burrow-nesting seabirds in California.

This island is already a State Reserve, identified for its importance to breeding birds and mammals. Año Nuevo Island supports a diverse community of native seabirds and could be improved as seabird habitat by restoring vegetation. Established plants will benefit burrow-nesting species, by providing increased habitat and stabilization of the soil horizon to prevent accelerated erosion. We support funding habitat restoration efforts for Año

Nuevo Island. This project would directly benefit three nesting species: Rhinoceros Auklet, Pigeon Guillemot and Cassin's Auklet. Additional seabirds that could benefit include storm-petrels, Brown Pelican, cormorants and Western Gull. The restoration of this island would complement and mutually benefit the state park interpretation program, ongoing seabird research, and seabird education.

Seabird Disturbance. Disturbance to seabird nesting colonies is a continuing and possibly an increasing threat to California seabirds. Plane,



helicopter, boater, and pedestrian disturbance can be mediated through public outreach, publicity and education. In addition, seabirds will benefit through the establishment and enforcement of 'no-fly' zones, and marine and coastal buffer areas at important roosting and nesting areas. We support actions to minimize disturbance of colonies, offshore, and beach roost-sites by humans and elimination of introduced predators.

State and County Parks could benefit seabirds by ensuring that all trash containers are outfitted with covers. This would decrease the dependence of gulls on trash as a food source, reduce the flux of plastic to the ocean, and reduce the negative impacts caused by enhanced populations of native (ravens) and non-native (rats, red fox) predators. We support allocation of funds to ensure that trash on beaches and in coastal areas is contained.

To summarize our comments, we suggest that the Command Trustees Council should strive to integrate the ICBP's priorities into all proposed work. Due to the highly transitory nature of pelagic seabirds of California, a well-thought out plan will incorporate local and international efforts to reduce mortality factors (e.g. bycatch, oiling, harvest, introduced species) in seabirds. Such a plan will help to effectively restore, rehabilitate, replace or acquire the equivalent of the damages done to the California seabird populations effected by the 1998 Command Spill, including under-represented and migratory species.

Thank you for considering our comments and opinions. Should you have any questions or comments, we would appreciate further communication on the important issue of seabird restoration efforts related to the Command Spill and other oil spill restoration efforts.

Sincerely,

Josh Adams  
Seabird Biologist  
Moss Landing Marine Laboratories, Moss Landing, CA 95039  
Ceorhinca@hotmail.com

Josh, a resident of Santa Cruz County, currently studies Cassin's Auklet, Marbled Murrelet, and Common Murre in California. He has worked with seabirds in Hawaii, Alaska, Antarctica, and recently assisted in the rehabilitation efforts involving African Penguin affected in the 1999 Treasure Spill off Cape Town, South Africa. Josh attended the public meeting in Half Moon Bay, but did not to speak publicly at that time.

Hannah Nevins  
Moss Landing Marine Laboratories, Moss Landing, CA 95039  
hnevins@hotmail.com  
Oikonos Research Group, Bolinas, CA 94950 [www.oikonos.org](http://www.oikonos.org)

Hannah Nevins, a resident of Santa Cruz County, is graduate student of Marine Science at Moss Landing Marine Laboratories where she studies the

diet, demography and diving behavior of the Common Murre using seabirds recovered in coastal gillnet fishery in Monterey Bay, CA. She has worked with seabirds around the world, including Pacific islands, Alaska, Antarctica and South Africa. Presently, Hannah is a member of the Oikonomos non-profit research group and also coordinates data collection for the BeachCOMERS project in Monterey Bay and is developing a seabird ecology curriculum for high school teachers in Monterey, Santa Cruz and San Mateo Counties. Hannah was present at the Trustee scoping meeting in Half Moon Bay, where she presented a summary of the seabird education program and outline of the ecology curricula project in development.

---

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<http://photos.msn.com/support/worldwide.aspx> Command\_spill\_let.



# United States Department of the Interior

NATIONAL PARK SERVICE  
Golden Gate National Recreation Area  
Fort Mason, San Francisco, California 94123

IN REPLY REFER TO:

L54 (GOGA-PLAN)

JUL - 9 2002

Charlene Hull  
U.S. Fish and Wildlife Service  
2800 Cottage Way, Room 2605  
Sacramento, CA 95825

RECEIVED  
JUL 11 2002  
SACRAMENTO  
FISH & WILDLIFE SERVICE

RE: *Comments on Command Oil Scoping Document*

Dear Ms. Hull:

The Golden Gate National Recreation Area (GGNRA), a unit of the National Park Service (NPS) appreciates the opportunity to assist in the designation of the use of restoration funds from the Command oil spill. The Fitzgerald Marine Reserve, located within the legislative boundary of the GGNRA and managed by the County of San Mateo, was impacted by the spill.

The GGNRA expresses support for the comments of San Mateo County Environmental Services Agency, in particular, the GGNRA supports the use of Command oil spill funds for the acquisition of the Mirada Surf property. Mirada Surf is a 49-acre parcel, located at the south end of El Granada, lying on both sides of Highway 1. The mixed terrain supports differing habitats, including coastal bluff and riparian areas with native willows, seasonal wetlands, grasslands, and forested hillsides. The San Mateo County Parks and Recreation Foundation is applying for funds to assist in the acquisition of the Mirada Surf Property. The purchase of Mirada Surf property will further protect the coastal lands along the San Mateo Coast and will expand the greenbelt corridor south of Fitzgerald Marine Reserve. Planning and management for future use should identify and protect natural values of this site.

Thank you for your consideration. If you have any questions please call Jonathan Gervais at (415) 561-4841 or Chris Powell at (415) 561-4732.

Sincerely,

Brian O'Neill

General Superintendent

Cc: Lennie Roberts, Chair San Mateo Committee, GGNRA Citizen's Advisory Commission  
Rich Gordon, County of San Mateo  
Sam Hertzberg, County of San Mateo  
Julia Bott, San Mateo County Parks Foundation

RE: Command Oil Spill

Hello -- my name is Diana Hall, and I work on public funding issues for the Peninsula Open Space Trust (POST). I have a quick question: I know from reading the scoping document that the trustees are exploring the possibility of purchasing old-growth habitat along the Central Coast to protect murrelet nesting habitat. POST has several projects that may be suitable for such an endeavor. When is the appropriate phase in the restoration planning process to bring specific potential projects to your attention?

Thank you very much! -- Diana Hall

Diana L. Hall  
Public Funding Consultant  
3393 Cloverdale Road  
Pescadero, CA 94060  
tel: (650) 879-2163  
fax: (650) 879-3293  
e-mail: diana63@earthlink.net

*Submitted via email  
to Charlene Hall*

*7/22/2*

July 25, 2002

16

Charlene Hull  
U.S. Fish and Wildlife Service  
2800 Cottage Way, Room 2605  
Sacramento, CA 95825

Ed Ueber  
Gulf of the Farallones National Marine Sanctuary  
GGNRA, Fort Mason  
San Francisco, CA 94123

Paul Thayer, Executive Director  
State Lands Commission  
100 How Avenue, Suite 100 South  
Sacramento, CA 95825

CA Department of Fish and Game  
Office of Oil Spill Prevention and Response  
1807 13<sup>th</sup> Street  
Sacramento, CA 95814

CA State Department of Parks and Recreation  
P.O. Box 942896  
Sacramento, CA 95814

**Re: Comments on Command Oil Spill Scoping document**

Dear Natural Resources Trustees:

The Committee for Green Foothills appreciates the opportunity to provide our comments for your consideration as you determine the use of restoration funds from the Command oil spill. We apologize for the delay in getting these comments to you. Our organization, composed of 1200 families in San Mateo and Santa Clara Counties, has been involved in land use decisions and restoration efforts on our coastal streams for 40 years. Recently, with assistance of a grant through the Packard Foundation, the Green Foothills Foundation (our research and educational arm) compiled all the data contained in the State Department of Fish and Game files on the 20 coastal streams in San Mateo County. This compendium is available in several public locations, including the Half Moon Bay Library, the USGS Menlo Park library, and the UC Santa Cruz special collections library.

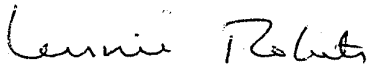
The Committee is very supportive of the criteria that have been established by the Trustees; we particularly support the selection of projects that have a strong nexus to damaged resources and to lost opportunities for human use and enjoyment of the San Mateo County coast. We do not believe it would be appropriate to re-define the "resource" to include entire San Mateo Coastal watersheds, as was suggested in the letter from the San Mateo County Resource Conservation District; such expansion of the geographic area to ten or more miles inland would reduce the potential for preservation, restoration and improvement of nesting and roosting habitats essential to the specific seabirds that were impacted by the spill, with the possible exception of the Marbled Murrelet.

Regarding impacts to human use, we strongly support the use of Command oil spill funds for the acquisition of the Mirada Surf property which is located just south of the breakwater at the Pillar Point Harbor. This ocean-front property consists of sandy beach, coastal bluffs, riparian areas with native willows, seasonal wetlands, grasslands, and east of Highway One, forested hillsides. There is an informal trail along the edge of the bluffs, and the area is popular for surfing, swimming, and beach uses. The San Mateo County Parks and Recreation Foundation is currently seeking funds to complete the acquisition of this property. We expect there will be matching funds from public and private sources. The purchase of Mirada Surf will further protect the coastal lands along the San Mateo County coast, and will provide for increased opportunities for public use and enjoyment. Planning and management for future use should identify and protect the natural values of this site. We also support the other proposed projects at Fitzgerald Marine Reserve, but believe that the Mirada Surf project has a greater urgency at this time.

We would appreciate receiving the Draft Restoration Plan, and Environmental Assessment, and notice of any future meetings regarding use of these funds.

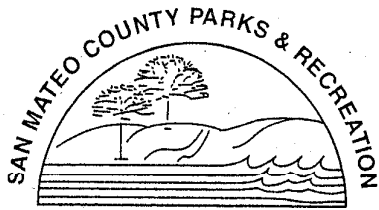
Thank you for consideration of our comments.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lennie Roberts".

Lennie Roberts, Legislative Advocate  
Committee for Green Foothills  
339 La Cuesta  
Portola Valley, CA 94028

Phone: 650-854-0449



**FOUNDATION**

**BENEFITING COUNTY PARKS**

- Coyote Point Marina
- Coyote Point Recreation Area
- Crystal Springs Trails
- Edgewood Park & Preserve
- Fitzgerald Marine Reserve
- Flood Park
- Heritage Grove
- Huddart Park
- Junipero Serra Park
- Memorial Park
- Pescadero Creek Park
- Pillar Point Marsh
- Sam McDonald Park
- San Bruno Mountain Park
- Sanchez Adobe
- San Pedro Valley Park
- Sawyer Camp Trail
- Woodside Store
- Wunderlich Park

**Board of Directors**

Bruce J. Wright  
*Chairman*  
Nicole Goldstein  
Mark Haesloop  
Suzanne B. King  
Bill Korbholz  
Richard Preston  
Susan H. Russell  
Sarah Swinerton

**Advisory Board**

Melvin Lane  
Jo Schreck

**Executive Director**

Julia Bott

215 Bay Road  
Sausalito Park, CA 94025  
415-321-5812 voice  
415-321-5813 fax  
info@supportparks.org  
www.supportparks.org

**RECEIVED**

**OCT 10 2002**

**SACRAMENTO  
FISH & WILDLIFE OFFICE**

October 8, 2002

Mr. David Harlow  
Acting Field Supervisor  
U.S. Fish and Wildlife Service  
2800 Cottage Way, Suite 2605  
Sacramento CA 95825

**RE: Request for Additional Information on Mirada Surf  
Acquisition and Access Improvement**

Dear Mr. Harlow:

The San Mateo County Parks and Recreation Foundation is pleased to provide additional information on the Mirada Surf Acquisition and Access Improvement. The acquisition of Mirada Surf is a priority for the County of San Mateo and its citizens.

The San Mateo County Parks and Recreation Foundation is actively raising money for this acquisition. The funds raised, including any compensation from the TV Command spill Natural Resources Damages Assessment and Restoration Planning, will be gifted to the County of San Mateo to support their acquisition of this property, which will provide tremendous recreational benefits to the both residents and visitors to the community.

Others, including the San Mateo County of Parks and Recreation Division, the Golden Gate National Recreation Area and the Committee for Green Foothills, have written in support of this project. As we are the lead organization, we will be submitting the additional information that you requested.

Mirada Surf is a 49-acre parcel located at the south end of El Granada, a community in the unincorporated mid-coast of San Mateo County. The property lies on both sides of Highway 1 and includes the only undeveloped coastal bluff in the region. Characteristics include mixed terrain and vegetation types, including coastal bluff, a creek with healthy riparian vegetation, seasonal wetlands, grasslands, and forested hillsides.

The property has been designated as Open Space or Community Park in the General Plan and Local Coastal Plan for over 25 years. In January 2002, the County of San Mateo purchased the inland portion of the property. The County currently holds an option on the shoreline parcel.

This is a key piece of undeveloped land in an area with significant development pressure. The proximity of this part of the coast to urban areas and improvements, such as Pillar Point Harbor, make this a popular regional destination. Improved coastal access and additional opportunities for public recreation are critical to the meeting the recreation and public safety needs of both visitors and residents.

The acquisition and subsequent improvements to the Mirada Surf parcel meet the Project Selection Criteria listed in the Command Public Scoping Document.

**Nexus to Injured Resources** - This acquisition will address the loss of human use by providing the public with an additional safe, public access to the shoreline. The property lies just south of "Surfers Beach" and is prominently visible from Highway 1. It is one of the few places on this part of the coast where there is a great view of the beach from the highway. The open nature of the site combined with its location makes it a natural destination for coastal visitors. Unfortunately, coastal access and the coastal trail on the site are not improved. Previous attempts to improve access have failed as they are predicated upon final development permits. Acquisition will address this problem.

This beach is well suited for encouraging human use. Located in the curve of the bay, it has expansive views of the beaches to south and of the harbor to the north. It is a relatively safe beach for children, except that the access has not been improved. Additionally, recreational activity in this area has less impact on marine species and dune dependent birds as the site does not have the sensitive habitats found in the intertidal zone at Fitzgerald Marine Reserve to the north or the sand dunes to the south.

While there are no numbers on this, since Surfers Beach is heavily used, it is likely that there was a greater level of impact in this location.

**Feasibility** - The owners are willing sellers and are cooperating with the acquisition efforts. Active fundraising efforts are underway. This project is a high priority for the County of San Mateo, the community and the San Mateo County Parks and Recreation Foundation. Success is expected.

**No Duplicate or Replacement Funding** - The County allocated \$3 million to purchase the inland parcel but there are no funds in the County's budget for acquisition of the shoreline parcel. The San Mateo County Parks and Recreation Foundation is actively seeking the remaining \$3 million for the acquisition from public and private sources. However, given the economic downturn and budget shortfalls at the state and local level, interested parties are not able to fund at the requested level. This funding of \$250,000 will help us bridge the gap.

**Legality** - The project complies with all applicable laws. It implements a goal of the Local Coastal Plan. Acquisition will also allow the County to seek funding for access improvements that will meet the standards of the Americans with Disabilities Act and that will reduce erosion.

**Likelihood of Success** - This project is a high priority for the County of San Mateo, has broad-based support and a high likelihood of success. The project is supported by Congresswoman Anna Eshoo, State Senators Byron Sher and Jackie Speier, and Assemblymember Joe Simitian. Numerous community and environmental groups also support the project.



Preliminary approval of \$350,000 grant from the Land and Water Conservation Fund has been received. The California Coastal Conservancy has stated that this acquisition is a priority and they are willing to assist. An application for \$1.5 million grant from the Conservancy is in process. Other grants are being sought and fund raising from the private sector is in its beginning stages.

Cost Effectiveness - The purchase price agreed upon by the County of San Mateo and the sellers is below the property's appraised value. The potential for increased human use and enjoyment of the beach is by this \$250,000 expenditure of restoration funds is multiplied as the funds are being combined with other public and private funds.

Multiple Resource Benefits - The purchase would allow for improved access and encourage recreational activity in a location that does not support sensitive beach or intertidal species. There are no known sites of nesting shorebirds in this location. This is one of the beaches in the region where dogs are allowed. The acquisition would also allow the completion of a missing segment of the Coastal Trail and result in a continuous non-motorized path between the City of Half Moon Bay and Pillar Point Harbor.

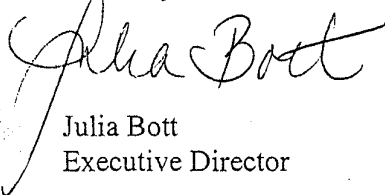
Duration of Benefits - The benefits of acquisition for the community to enjoy the beach would be permanent. Improvements could begin as early as 2003.

Public Health and Safety - Acquisition would allow improvements for public health and safety to be completed. Currently, the informal trails on this site are not improved. Access to the beach is via informal trails or by climbing a section of riprap. Additionally, a seasonal creek is located on the property. Site users erect makeshift crossings using boards and other materials. Often people can come into contact with the creek waters and such crossings degrade the riparian habitat. Efforts to improve the Coastal Trail and access points have been hampered by the lack of public ownership or easements. Once the acquisition is secured, improvements that address public health and safety can begin.

The San Mateo County Parks and Recreation Foundation believes that this project provides tremendous benefit and just compensation for the loss of human enjoyment. Supporting the Mirada Surf Acquisition and Access Improvement will provide permanent, safe access to beach users. While it is difficult to compensate those who were unable to enjoy the beauty and rejuvenation that comes from a day at the beach, or compensate the lost revenue to local businesses, providing support for an additional safe access is an appropriate use of the funds that will yield enjoyment for years.

Thank you for your careful consideration of this request. Please contact me at 650-321-5812 or [Julia@SupportParks.org](mailto:Julia@SupportParks.org) if you need additional information.

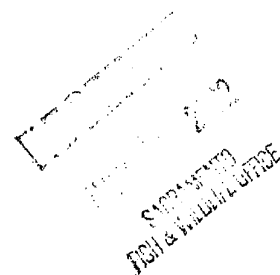
Sincerely,



Julia Bott  
Executive Director



October 30, 2002



Mr. David L. Harlow  
Acting Field Supervisor  
U.S. Fish and Wildlife Service  
2800 Cottage Way, Suite 2605  
Sacramento, CA 95825

**ENVIRONMENTAL  
SERVICES  
AGENCY**

Re: Additional Information on Recreation Improvement Projects

Dear Mr. Harlow:

The San Mateo County Parks and Recreation Division is pleased to provide you additional information on the Recreation Improvement Projects proposed at the Fitzgerald Marine Reserve.

Julia Bott, Executive Director, San Mateo County Parks and Recreation Foundation, has replied to you regarding the Mirada Surf proposal. In addition to supporting the Mirada Surf acquisition project, the Parks and Recreation Division initially proposed two public access improvement projects; however, based on further consideration we would like to request the same amount of funding, \$110,000, solely for the Seal Cove Trail Access Improvement proposal, and remove from consideration the Moss Beach Reef Trail Access Improvement proposal.

The Seal Cove Trail Access Improvement provides tremendous community benefit by repairing a key access to the Fitzgerald Marine Reserve, located in northern San Mateo County. This unique biological reserve, with 25 species of invertebrates and plants new to science discovered there, receives over 135,000 visits annually. In addition to providing access for public enjoyment, repairing the access will facilitate the environmental education activities and scientific research that occur at the reserve.

The proposal meets the Project Selection Criteria listed in the Command Public Scoping Document.

Nexus to Injured Resources – This restoration project will address the loss of human use by providing the public with safe public access to the reefs and beach. The project is a high priority for the Parks Division as this is the preferred access for the Marine Reserve shore docents leading discovery walks for elementary school children. However, the slope at this location is extremely steep and has been subjected to wave and rain erosion for many years. Currently, the steep slope and drop at the beach end of the existing trail make this a very difficult trail except for the most agile of our visitors.

**PARKS AND RECREATION DIVISION**

455 County Center, 4<sup>th</sup> Floor • Redwood City CA 94063 • Phone (650) 363-4020 • Fax (650) 599-1721

Agricultural

Commissioner/ Sealer of  
Weights & Measures

Animal Control

Cooperative Extension

Fire Protection

LAFCo

Library

Parks & Recreation

Planning & Building

feasibility – Given the constraints of alignment, a combination of a trail with a staircase at the beach end would be the most appropriate design for this trail. While disabled access is not feasible at this location, an accessible viewpoint from the bluff would be integrated into the trail repair. Additionally, ADA compliant access will be provided at the main access to the reefs.

Due to the instability of the bluffs, this access will have to be engineered with a geological and soils report and architectural plans for a combination trail staircase to the Reserve. The — Command Oil Spill funds would be used for the purpose of completing a soils and geological report as well as architectural plans and the construction of the trail and staircase.

The San Mateo County Parks and Recreation Division has an engineer's estimate for the project and the project is on our capital project list, but funding sources are not available at this time. The requested amount is \$50,000 for actual work and \$60,000 for the engineered architectural plans, geological and soils reports (\$110,000).

No Duplicate or Replacement Funding – There is no money in the County Parks' budget for improvement of this trail.

Legality – Legally the project complies with all applicable laws and will result in an environmental benefit. The County Parks system will provide access improvements that will meet the standards of the ADA at the main access to the reefs in the development phase of the master plan when the EIR. for the master plan is complete.

Likelihood of Success – This project is a high priority with County Parks and the Friends of Fitzgerald Marine Reserve. Preliminary engineering information indicates the project is feasible. The limiting factor to completing the repair is adequate funding. We addressed this limitation by requesting full funding for this project, instead of partial funding for two projects.

Cost Effectiveness - Money spent now to improve access will counteract erosion that is causing deterioration to the access point. Repair is more cost effective and less damaging to the bluffs than building a new access point.

Multiple Resource Benefits – The trail access improvement improves the safety of the access point and will allow for others to enjoy the sensitive ecosystem and intertidal species and to be educated on protection of the Reserve. In addition, it will help the Division reduce the impacts of visitation at the main entrance by redirecting visitors to this access.

Duration of Benefits - The County of San Mateo Parks Division will maintain the improved access in perpetuity using parks staff, equipment and funds. In addition, volunteer help from the Friends of Fitzgerald Marine Reserve would be used to help maintain the trail section.

Public Health and Safety – This project will greatly improve access to this scenic part of the reserve and allows for the elderly and small children to safely enjoy their visit to the reserve.

The Division looks forward to your support of this project. The alternative to not repairing this access would be, at a minimum, the continued use of a very difficult access to the reserve by

school groups and drop in visitors. The potential worst case is the closing of this access, removing an access point from public use and placing additional strain on the intertidal resources at the main entrance.

The County of San Mateo uses standard accounting practices and would administer funds for this project. For further information please contact Bob Breen, Park Ranger III at (650) 728-9584 or Dave Moore, Superintendent at (650) 363-1906.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mary E. Burns".

Mary E. Burns  
Director

c: Marcia Raines  
Dave Moore  
Bob Breen  
Julia Bott



IN REPLY REFER TO:  
FWS/EC-02-082

# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

Sacramento Fish and Wildlife Office  
2800 Cottage Way, Room W-2605  
Sacramento, California 95825-1846

**RECEIVED**

September 12, 2002

JAN 02 2003

SACRAMENTO  
FISH & WILDLIFE OFFICE

Mr. Gary Page  
Wetland Program Director  
Point Reyes Bird Observatory Conservation Sciences  
4990 Shoreline Highway  
Stinson Beach, California 94970

Subject: Request for Additional Information on the Moss Landing Management Area Improvement Project

Dear Mr. Page:

Thank you for providing the Command Trustee Council with restoration project proposals and for providing comments on the 'Command Oil Spill Public Scoping Document for Restoration Planning.' Both your comments and project proposals will be considered during the preparation of a Draft Restoration Plan/Environmental Assessment (RP/EA). The Draft RP/EA will be made available at a later date for public review and comment, and we will add your name to our current mailing list.

We have screened all comments, received to date, and would like to hear more about your proposal to improve the Moss Landing Management Area. Specifically, we are interested in the following:

1. Description and explanation of how the proposed project would specifically meet selection criteria listed in the Command Public Scoping Document.
2. Estimated project costs and a description of the financial and regulatory feasibility of the project.
3. More detailed description and explanation of the benefits that would be derived from the restoration proposed to those injured resources addressed in the Command Public Scoping Document.
4. Contact information identifying personnel who can answer questions about your proposed projects.

Information provided will be used to assist the Council in developing and writing the Draft RP/EA, and the process for final project selections will be outlined in the Command Final Restoration Plan. If you have any questions please contact Charlene Hall at 916-414-6600 or visit the "Command" website at: [www.darcnw.noaa.gov/command.html](http://www.darcnw.noaa.gov/command.html) or [www.dfg.ca.gov/ospr.restorations.html](http://www.dfg.ca.gov/ospr.restorations.html). Thank you for your interest in the Command Oil Spill Restoration Project.

Sincerely,

David L. Harlow  
Acting Field Supervisor



IN REPLY REFER TO:  
FWS/EC-02-082

United States Department  
FISH AND WILDLIFE  
Sacramento Fish and Wildlife  
2800 Cottage Way, Room 100  
Sacramento, California 95834

**RECEIVED**

JAN 02 2003

SACRAMENTO  
FISH & WILDLIFE OFFICE

Mr. Gary Page  
Wetland Program Director  
Point Reyes Bird Observatory Conservation Sciences  
4990 Shoreline Highway  
Stinson Beach, California 94970

Subject: Request for Additional Information on the Moss Landing Management Area  
Improvement Project

Dear Mr. Page:

Thank you for providing the Command Trustee Council with restoration project proposals and for providing comments on the 'Command Oil Spill Public Scoping Document for Restoration Planning.' Both your comments and project proposals will be considered during the preparation of a Draft Restoration Plan/Environmental Assessment (RP/EA). The Draft RP/EA will be made available at a later date for public review and comment, and we will add your name to our current mailing list.

We have screened all comments, received to date, and would like to hear more about your proposal to improve the Moss Landing Management Area. Specifically, we are interested in the following:

1. Description and explanation of how the proposed project would specifically meet selection criteria listed in the Command Public Scoping Document.
2. Estimated project costs and a description of the financial and regulatory feasibility of the project.
3. More detailed description and explanation of the benefits that would be derived from the restoration proposed to those injured resources addressed in the Command Public Scoping Document.
4. Contact information identifying personnel who can answer questions about your proposed projects.

Information provided will be used to assist the Council in developing and writing the Draft RP/EA, and the process for final project selections will be outlined in the Command Final Restoration Plan. If you have any questions please contact Charlene Hall at 916-414-6600 or visit the "Command" website at: [www.darcnw.noaa.gov/command.html](http://www.darcnw.noaa.gov/command.html) or [www.dfg.ca.gov/ospr.restorations.html](http://www.dfg.ca.gov/ospr.restorations.html). Thank you for your interest in the Command Oil Spill Restoration Project.

Sincerely,

David L. Harlow  
Acting Field Supervisor

*Hello David,  
In response to this letter  
I have finally produced  
the enclosed information.  
While probably too late,  
better to produce this  
rather than nothing again  
sorry for being so slow  
to respond -  
Sincerely  
Gary Page*

PRBO Conservation Science  
4990 Shoreline Highway  
Stinson Beach, CA 94970-9701

tel 415 868-1221  
fax 415 868-1946  
email prbo@prbo.org  
www.prbo.org



prbo

December 29, 2002

Trustees for Natural Resources Injured by the Command Oil Spill

Dear Trustees,

I am writing to provide additional information in support of the Brown Pelican roost enhancement and protection project at the Moss Landing Wildlife Area.

Moss Landing Wildlife Area consists of about 150 acres of retired salt ponds near the entrance of Elkhorn Slough, Monterey County. The ponds were purchased by the California Department of Fish and Game (DFG) in 1984 and converted to managed ponds for wildlife between 1989 and 1991. DFG's restoration goals were to provide nesting habitat for Snowy Plovers and roosting habitat for Brown Pelicans. An island was constructed in one of the ponds for the pelicans. It was intended that water would be moved through a water control structure from Elkhorn Slough into a holding channel. From the holding channel water would be moved through a series of ponds including the one containing the island.

The managed ponds have never functioned as intended because it has not been possible to move water into the ponds easily. Water can only be put into the holding channel on the highest tides and it is not possible to get water into some of the outer ponds at all. Also, it has not been possible to surround the island with water in late summer and fall when pelicans would be expected to roost there.

Since 1995 PRBO biologists have been managing the ponds for nesting Snowy Plovers. By trapping water in the holding channel during the highest tides and then metering the water into burrow ditches (excavated in ponds to create the levees) it has been possible to enable plovers to nest in the dry pond bottoms then move their chicks to the water-filled burrow ditches to feed.

The ponds have been a productive breeding area for Snowy Plovers since PRBO began managing water for plovers. From 1995 through 2002, on average, 48% (SD = 17.4%) of all fledged chicks (hatched chicks reaching flying age) from the Monterey Bay shoreline were from the managed ponds (Table 1). Since 1999, 35-48 males and 30-45 females have breed in the salt ponds annually. The largest numbers (48 males and 45 females) nested in 2002.

Brown Pelicans also roost in the ponds. Although Brown Pelicans have never used the island, PRBO biologist learned that when ponds were very shallowly flooded they

attracted large numbers of roosting pelicans, particularly at dusk. They estimated up to 3,000 pelicans roosting in shallow water ponds. Thus by providing shallowly flooded habitat in some ponds it is possible to establish a large pelican roost in the wildlife area.

Table 1. Percent of fledged young from the shoreline of Monterey Bay reared by Snowy Plovers nesting in the managed ponds from 1995 to 2002.

Year	% Fledglings From Ponds	Total Number of Fledglings
1995	25.0	108
1996	46.1	128
1997	59.4	138
1998	57.1	133
1999	80.0	85
2000	47.2	142
2001	34.3	265
2002	34.6	211

It has never been possible to manage the ponds as originally planned because of the high elevations of the pond bottoms relative to sea level. Additionally, the original water control structures have corroded and now leak badly. Vegetation is evading the outermost ponds making them unusable by Snowy Plovers and other shorebirds. The bank of the slough near the main levee has eroded badly. If it is not fortified it will continue to erode until the main pond levee is undercut causing the area to become tidal.

Ducks Unlimited, DFG and PRBO are collaborating on a proposal to restore the ponds so that they can be managed more effectively for nesting Snowy Plovers, roosting Brown Pelicans, and other aquatic birds such as migrating and wintering shorebirds and waterfowl.

The draft restoration plan (see attachment Moss Landing Salt Ponds Habitat Enhancement Plan) proposes to expand the holding channel and replace failing water control structures. Additional water control structures are to be added so that water levels in each pond can be managed independently. The main levee will be reinforced to maintain the integrity of the managed pond system. It is estimated to cost about \$750,000 for the structural changes.

The Wildlife Conservation Board (WCB) has committed \$650,000 and the National Fish and Wildlife Foundation (NFWF) \$100,000 for the project. DFG and Ducks Unlimited are commencing on the permitting process. Some NFWF funds can be used for permitting, expected to be facilitated through a contract with a consulting company with expertise in the NEPA and CEQA process.

The project addresses two major goals of the trustees. It aims to provide roosting habitat for thousands of Brown Pelicans, one of the species impacted by the Command Spill. Secondly, by providing high quality nesting habitat for the Snowy Plover it increases



ities for the public to use Monterey Beaches because it reduces the dependency  
overs on the beaches. Several portions of Monterey Bay beaches have been  
the public during the plovers nesting season to reduce the impact of human  
n on nesting success. The salt ponds are already closed to the public and support  
al numbers of nesting plovers. Maintaining the ponds as productive plover  
abitat will reduce the need for further beach closure.

e plovers and pelicans, the ponds should benefit nesting avocets and stilts, and  
winter habitat for other shorebirds and waterfowl. Even under current  
nces we have shown the ponds can be a valuable plover nesting area and an  
t pelican roost. Restoration of the ponds should insure that these benefits persist  
; time. Appropriate permits will be obtained to make certain the project  
with applicable laws. We are unaware of any public health and safety issues  
d with the proposed project.

ponds are restored it will be necessary to manage water levels and other pond  
year round and to monitor the response of all target species to maximize the  
or all species. Some of the key management activities are:

aintain water year round in cells with too much vegetative growth to kill back  
e vegetation.

raw water down in one or more cells in April for Snowy Plover nesting. Let  
her cells dry up naturally.

aintain shallow water areas in channels as foraging areas for adult and chick  
owey Plovers during summer.

aintain water in the reservoir cell throughout the summer so that it is available  
r metering into the cell channels during the summer.

ood all cells in August when Snowy Plovers finish nesting and maintain them in  
flooded condition until the following spring.

aintain shallowly flooded areas for roosting Brown Pelicans.

ounter the effect of winter storms by lowering water levels when necessary to  
event levee erosion.

ontrol weedy levee vegetation.

reate micro topographic relief in pond bottoms for nesting plovers.

DFG allows PRBO biologists to manage the ponds for nesting Snowy Plovers  
: summer. Monitoring the plovers' response to the management actions  
inding nests and maintaining a color banded population of plovers. PRBO  
document the number of nesting adults, number of nests, number of successful  
ses of nest failure, number of chicks hatched, and number of chicks fledged.  
ploys one biologist from March through September to conduct these activities.  
logists do not currently closely monitor most other wildlife using the ponds,  
se species that might impact nesting plovers.

ees could enhance the restoration project by adding a management and  
g component for the initial years after the restoration project is completed to